

Exhibit 159

DRAFT 1 – Copy for SafetyandCareCommitment Website

On Home Page of SafetyandCareCommitment.com website, at bottom right, under Key Topic, replace Microbeads with the following copy:

Key Topic

Talc has over 100 years of ~~safe~~ use in personal care products. Learn more ...

(Link to Ingredient Policies page, insert new item under “Other Materials” and after “Triclosan”, copy to read)

Talc

The Use of Cosmetic Talc in Personal Care Products

Few ingredients have demonstrated the same performance, mildness and safety profile as cosmetic talc, which has been used for over 100 ~~(I don’t think we can link cosmetic talc to 100 years of use)~~ years by millions of people around the world. Talcum powder is made from the mineral, talc. In a powder form, talc helps reduce friction, making it useful for keeping skin dry and helping to prevent rashes. Talc is a common ingredient found in cosmetic products such as baby powder and adult body and facial powders, and in a range of other consumer products such as toothpaste, chewing gum, and aspirin.

JOHNSON’S® talc products are made using U.S. Pharmacopeial (USP) grade talc to ensure it meets the highest-quality, purity and compliance standards. Our talc-based consumer products ~~are have always been~~ ~~(we cannot say “always”)~~ asbestos free, as confirmed by regular testing conducted since the 1970s. We also make JOHNSON’S® Baby Powder that contains cornstarch.

Our Position on Talc

At the Johnson & Johnson Family of Consumer Companies, our confidence in the using talc is based on a long history of safe use and more than 30 years of research by independent researchers, scientific review boards and global regulatory authorities. Various agencies and governmental bodies have examined whether talc is a carcinogen, and none have concluded that it is. These include the U.S Food and Drug Administration (FDA) and National Toxicology Program, part of the U.S. Department of Health and Human Services. California does not list cosmetic talc as a carcinogen under its Prop 65 list of substances identified as possible causes of cancer.

The Cosmetic Ingredient Review (CIR) is an independent scientific body that assesses the safety of ingredients and publishes results in peer-reviewed science journals. In April 2013 it published its most recent assessment of talc used in cosmetics. Its Expert Panel reviewed all information, data, studies spanning from 1976 through today, and concluded that talc was safe for use in personal care products. The U.S. FDA considers the CIR review, as well as other information, in policy making.

Various independent researchers have studied talc and perineal use and found it to be safe. A detailed meta-analysis done by Muscat/Huncharek in 2007, reviewed all available studies and showed no cause and effect relationship between perineal use and ovarian cancer. In 2011, Neill et al also was not able to find any association between perineal talc use and ovarian cancer. Publications based on the Nurses' Health Study, the only large-scale prospective study looking at talc and ovarian cancer, have found no causal relationship between talc and ovarian cancer (Gertig 2000; Gates 2009).

References and Resources:

NOTE TO CAROL/JAY: Besides those below, there are other links to consider, but they are not as definitive or supportive and could be interpreted as suggesting a causal effect, such as the American Cancer Society and IARC. Even some of the studies we cite send mixed messages. For example, Gertig et al concludes:

"Our results provide little support for any substantial association between perineal talc use and ovarian cancer risk overall; however, perineal talc use may modestly increase the risk of invasive serous ovarian cancers."

National Toxicology Program

<http://ntp.niehs.nih.gov/index.cfm?objectid=03CA6E02-FBD5-5C52-9699F9DD00863ED7>

Cosmetic Ingredient Review

http://www.cir-safety.org/sites/default/files/talc122012tent_faa_final%20for%20posting.pdf

Gertig, Prospective Study of Talc Use and Ovarian Cancer, *Journal of the National Cancer Institute*

<http://jnci.oxfordjournals.org/content/92/3/249.full>

Neill, Use of talcum powder and endometrial cancer risk, *Cancer Causes and Control*

<http://rd.springer.com/article/10.1007%2Fs10552-011-9894-5>

Muscat, Perineal talc use and ovarian cancer risk: a case study of scientific standards in environmental epidemiology, *European Journal of Cancer Prevention*

<http://www.ncbi.nlm.nih.gov/pubmed/21712717>

From Homer:

<http://www.fda.gov/Cosmetics/ProductandIngredientSafety/SelectedCosmeticIngredients/ucm293184.htm?source=govdelivery>

FDA sponsored a workshop in 1994 (“IS RTP/FDA Talc workshop”). I don’t have a copy of the report but there are many references to the conclusions, such as those below. Experts agreed that there was no evidence to conclude that talc is capable of reaching the ovaries. And ... the experts attending the IS RTP/FDA Talc workshop concluded that the epidemiology studies did not demonstrate a real association between talc and ovarian cancer.

<http://www.cosmeticsinfo.org/HBI/26>

<http://www.thefactsabout.co.uk/content.asp?pageid=8&menuname=Talc&menu=hidden>

File Provided Natively

JNJTALC000067661

Metadata

Applic	Microsoft Word Document	ORIGINAL
AttachCount	0	ORIGINAL
Author	pballman	ORIGINAL
BegAttach	JNJTALC000067661	ORIGINAL
Confidentiality	Y	ORIGINAL
Custodian	Goodrich, Carol	ORIGINAL
DateCreated	10/07/2013 07:43 PM	ORIGINAL
DateMod	10/07/2013 07:43 PM	ORIGINAL
DocExt	doc	ORIGINAL
DocumentType	E-Doc	ORIGINAL
EmailDateSort	10/07/2013 07:43 PM	ORIGINAL
EndAttach	JNJTALC000067661	ORIGINAL
FileName	Talc website copy 10 7 13.doc	ORIGINAL
FileSize	39936.00	ORIGINAL
HashValue	967ccb81646ba286c7973fdb7d929087	ORIGINAL
LastModBy	Carol Goodrich	ORIGINAL
ProdVol	TALC_PROD_027	ORIGINAL

Exhibit 160, part 1

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF ALAMEDA

---000---

TERESA ELIZABETH LEAVITT
and DEAN J. MCELROY,
Plaintiffs,

vs.

JOHNSON & JOHNSON, et
al.,

No. RG17882401

Defendants.

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

---000---

PUI FONG and THAI WONG,
Plaintiff,

vs.

JOHNSON & JOHNSON, et al.,

JCCP CASE NO. 4674

No. BC675449

Defendants.

TRIAL PRESERVATION

VIDEOTAPED DEPOSITION OF JAMES PETER MITTENTHAL
(PMQ/COR Johnson & Johnson; Johnson & Johnson
Consumer, Inc.)

VOLUME II, Pages 219 - 443

Taken before EARLY K. LANGLEY, B.A., RMR, RSA, CLR
CSR No. 3537

October 18, 2018

Aiken Welch Court Reporters
One Kaiser Plaza, Suite 250
Oakland, California 94612
(510) 451-1580/(877) 451-1580
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DEPOSITION OF JAMES PETER MITTENTHAL

BE IT REMEMBERED, that pursuant to Notice, and
on October 18, 2018, commencing at the hour of 9:05
a.m., in the offices of Kazan, McClain, Satterley &
Greenwood, 55 Harrison Street, Suite 400, Oakland,
California 94607, before me, EARLY LANGLEY, a Certified
Shorthand Reporter, State of California, personally
appeared JAMES PETER MITTENTHAL, produced as a witness
in said action, and being previously duly sworn, was
thereupon examined as a witness in said cause.

---oOo---

APPEARANCES:

For the Plaintiffs:

MARK SWANSON
Kazan, McClain, Satterley & Greenwood
55 Harrison Street, Suite 400
Oakland, California 94607
(510) 302-1000
Mswanson@kazanlaw.com

For the Defendants Imerys Talc America, Inc.; Cyprus
Mines Corporation; Imerys Talc Vermont, Inc.;
Specially appearing for Defendant Imerys USA, Inc.:

ERIN CARPENTER
Dentons US LLP
4675 MacArthur Court, Suite 1250
Newport Beach, California 92660
(213) 623-9300
erin.carpenter@dentons.com

1 For the Defendants Johnson & Johnson; Johnson & Johnson
2 Consumer, Inc.:

3 CHRISTOPHER COX
4 RICHARD T. BERNARDO (Via phone)
5 Skadden Arps, Slate, Meagher & Flom, LLP
6 4 Times Square
7 New York, New York 10036
8 (212) 735-3453
9 christopher.cox@skadden.com
10 richard.bernardo@skadden.com

11 Also present:

12 Jonathan Jaffe
13 ESI Consultant

14 Jim Partridge
15 Tele-Video Production Services
16
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24
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1 --oOo--

2 P R O C E E D I N G S

3 --oOo--

4 THE VIDEOGRAPHER: We're on the record.
5 My name is Jim Partridge. I'm a qualified video
6 technician video recording on behalf of Tele-Video
7 Production Services.

8 The court reporter today is Early Langley
9 of Aiken Welch Reporters.

10 Today's date is October 18, 2018. The
11 time is now 9:05 a.m. The location of this
12 deposition is the Kazan and McClain law firm in
13 Oakland, California.

14 Today's witness is James Mittenthal. This
15 is Volume Number II in the case of Leavitt and
16 McElroy, et al. v. Johnson & Johnson and Fong, et
17 al. v. Imerys Talc America, Inc.

18 This is Case Number RG17882401 filed in
19 the Superior Court of California in and for the
20 County of Alameda.

21 This deposition was noticed by the Kazan
22 law firm for the plaintiff.

23 Would the counsel for the parties please
24 identify themselves and for whom they are
25 appearing.

1 MR. SWANSON: Mark Swanson appearing on
2 behalf of the plaintiffs.

3 MR. CARPENTER: Good morning, sir. Erin
4 Carpenter appearing on behalf of Imerys Talc
5 America, Inc.; Imerys Talc Vermont; and Cyprus
6 Mines Corporation.

7 MR. COX: Christopher Cox on behalf of
8 defendants Johnson & Johnson and Johnson & Johnson
9 Consumer, Inc.

10 THE VIDEOGRAPHER: And on the telephone,
11 please.

12 MR. BERNARDO: Richard Bernardo, also
13 counsel for the Johnson & Johnson defendants.

14 JAMES PETER MITTENTHAL
15 previously sworn as a witness,
16 testified as follows:

17 THE VIDEOGRAPHER: Would the counsel
18 please state any stipulations or statements they
19 would like on the record.

20 None.

21 Counsel, you may proceed.

22 DIRECT EXAMINATION BY MR. SWANSON (Cont'd):

23 Q. Good morning, Mr. Mittenthal.

24 A. Good morning.

25 Q. You understand that you're still under

1 oath?

2 A. Yes, I do.

3 Q. Okay. What work have you done in
4 connection with the Fong and/or Leavitt cases
5 since I deposed you on September 21st in the first
6 volume?

7 A. So I gathered additional materials,
8 retention schedules. I conducted follow-on
9 interviews with Pamela Downs and Laura Giacino,
10 and a woman named Tina French was also present for
11 that other interview for the purpose of
12 understanding additional information about Fong
13 and Leavitt collection activities.

14 Q. Okay.

15 A. I obtained -- requested and obtained a
16 list of legal holds that encompassed consumer talc
17 and I made a list of those holds.

18 Q. From whom did you --

19 MR. SWANSON: Before I ask the question,
20 Early could you read that entire answer back to me
21 please.

22 (Record read by the court reporter.)

23 BY MR. SWANSON:

24 Q. Okay. And those retention schedules that
25 you gathered, did you actually do the search for

1 those and obtain those or did you get those from
2 counsel?

3 A. I got those from counsel.

4 Q. Okay. And those holds are for what period
5 of time?

6 A. The holds cover -- the earliest hold that
7 I received was dated 1999.

8 Q. And these were additional holds that had
9 not previously been produced to the plaintiffs; is
10 that correct?

11 A. These were holds that were related to, to
12 my understanding, issues other than mesothelioma.

13 Q. Now, these legal holds that you're talking
14 about -- well, let me -- let me -- because I think
15 I got myself confused or maybe you confused me.
16 The additional materials that you gathered were
17 retention policies; right?

18 A. I -- I gathered -- that was one of the
19 things I got, yes, were additional retention
20 schedules.

21 Q. And you gathered those -- you got those
22 from counsel; correct?

23 A. Yes.

24 Q. And why did you get those?

25 A. I was -- in an effort to respond to issues

1 raised in the last time to provide the most
2 thorough coverage of the retention schedules
3 during the applicable times, I sought to get
4 what -- the retention schedules that were
5 available.

6 Q. So those were retention schedules that
7 hadn't been produced to the plaintiffs in Fong and
8 Leavitt up to that point; is that correct?

9 MR. COX: Object to form.

10 THE WITNESS: Some of them had not been
11 produced yet.

12 BY MR. SWANSON:

13 Q. Have they all been produced now?

14 MR. COX: Object to form.

15 THE WITNESS: That's -- that's my
16 understanding.

17 BY MR. SWANSON:

18 Q. And what period -- can you give me the
19 period of time that those holds cover?

20 A. I'm sorry?

21 Q. The range of years for those retention --
22 did I say "holds"?

23 A. Yes, sir.

24 Q. I apologize. I'm getting myself confused.

25 For those retention schedules that you

1 obtained from counsel after your first volume of
2 your deposition that you say have been produced,
3 what's the range of years they cover?

4 A. They went back to the 1997.

5 Q. And did you bring those with you today?

6 A. I believe they're all -- I'm not sure
7 what's in this binder. I believe that everything
8 has been brought today.

9 Q. Okay. For your information, the binder
10 contains the exhibits to the first volume of your
11 deposition. So that if I have a question for --
12 and that was the binder that you brought to that
13 deposition.

14 Do you remember that?

15 A. Yes.

16 Q. Okay. So if I have questions about a
17 prior exhibit, then you can refer to what's in the
18 binder, okay?

19 A. Okay.

20 Q. All right. So what was produced
21 subsequent to the first volume of your deposition
22 to us were additional retention schedules for the
23 period 2004 through 2012. Now, we did have a
24 prior retention schedule that had previously been
25 introduced and was marked for the record in your

1 original binder going back to 1997.

2 Does that refresh your memory about what
3 you've seen recently or did you see additional
4 retention schedules going back to '97 that either
5 weren't produced in this 2004 to 2012 range that
6 was subsequently produced and wasn't produced in
7 the initial production?

8 A. The former. That refreshes my memory.

9 Q. So you spoke to Pamela Downs, Tina French,
10 and Laura Giacino?

11 A. That's correct.

12 Q. All in the same place?

13 A. There was a conversation with Ms. Downs
14 and then there was a second conversation with
15 Ms. Giacino and Ms. French.

16 Q. Remind us again. Pam Downs, she -- Pamela
17 Downs she worked for Triality; is that right?

18 A. That's right.

19 Q. And where did that interview take place?

20 A. That was -- that was at Skadden offices.

21 Q. And what day did that take place?

22 A. I'd have to double-check. It was -- it
23 was last week.

24 Q. How long did it last?

25 A. A couple of hours.

1 Q. Who else was there?

2 A. Chris Cox.

3 Q. And what additional information specific
4 to either what we spoke about in Volume I of your
5 deposition or that's related to these two cases,
6 Leavitt and Fong, did you discuss with Pam Downs?

7 A. I wanted to clarify and understand the
8 extent of the -- her -- her involvement in
9 specific searches related to Fong and Leavitt
10 beyond what had been captured in my original notes
11 from her.

12 Q. And what did she tell you with respect to
13 that?

14 A. Well, basically I -- I created -- as we
15 were talking, I created a Word table on my
16 computer and that table contained six or seven
17 columns, and as we spoke, I filled out the -- the
18 table, and that table is with me today.

19 Q. Okay. Do you have a copy of that table
20 for me?

21 MR. COX: I do.

22 MR. SWANSON: Okay. And do you have a
23 copy I can mark or his copy -- oh, his copy I can
24 mark.

25 Mr. Mittenthal, can I mark your -- put an

1 exhibit tag on your copy?

2 THE WITNESS: Sure.

3 MR. SWANSON: Okay.

4 (Whereupon, Plaintiff's Exhibit 20 was
5 marked for identification.)

6 BY MR. SWANSON:

7 Q. And how many pages -- this is four pages.

8 So the Word doc -- the Word table that you
9 created with respect to Pam Downs that's marked as
10 Exhibit 20, that's a four-page document, and we'll
11 just have to make sure to keep these separate from
12 these others.

13 Is that okay if I separate these?

14 A. Sure.

15 Q. Okay. There you go. And I'll hand those
16 back to you.

17 And it looks like you also included in
18 this information that you've gathered from Laura
19 Giacino; correct?

20 A. Yes. I took the same document and I
21 continued it.

22 Q. And so does this document summarize what
23 you learned from both of them regarding searches
24 specific to Leavitt and Fong?

25 A. Yes.

1 Q. How long did you speak to Laura Giacino?

2 A. It was about an hour and a half, as I
3 recall.

4 Q. And who else was there during that
5 conversation?

6 A. That was a telephone call. Tina French
7 was present with Ms. Giacino.

8 Q. And who is Tina French?

9 A. She is an assistant corporate secretary.

10 Q. Did you speak to them while -- let's start
11 with Pamela Downs.

12 Did you speak to her about anything other
13 than just what specific searches had been done
14 related to Leavitt and Fong?

15 A. That's my recollection, yes.

16 Q. And is that the same with Laura Giacino?

17 A. Yes.

18 Q. Was there any information that Tina French
19 provided?

20 A. I mean, there were -- there were times
21 when they were both talking. It was -- it was
22 really an interview with Ms. Giacino. It was
23 announced that Ms. French was also on the phone
24 and she occasionally piped in with information.
25 It was not always clear which one was talking.

1 Generally, Ms. Giacino led the call.

2 Q. Can you explain to me by giving me an
3 example how this table works that you created?

4 A. Well, the -- it was initially to be tied,
5 and I worked with counsel to get the -- in terms
6 of those, the specific case, Leavitt or Fong, and
7 the request so that I could tie the searches back
8 to a specific request for production.

9 The -- the next element is a -- is a --
10 simply a category, and the -- this table, for the
11 sake of convenience, the post- -- the later
12 searches specific to Leavitt and Fong materials,
13 and those -- and the requests for production. But
14 the later searches were categorized for the -- for
15 the sake of understanding the circumstances for
16 each.

17 This table speaks to what -- denoted as
18 Category 3 and 4, which, as per the legend, are
19 additional searches of company sources and
20 first-time searches of company sources.

21 The other two categories that relate to
22 the additional collection efforts, Category 1
23 target searches of the global production and
24 refiltering of the previously collected unproduced
25 material, did not involve additional on-the-ground

1 document-gathering. So they -- only the
2 on-the-ground collection activities were included
3 in this table.

4 Q. Okay. And I see there's a column here for
5 "people consulted."

6 What does that refer to?

7 A. So I -- in my conversations with
8 Ms. Downs, I said, who did you go to, to identify
9 this -- sources of this additional information,
10 where it might be, what might be obtainable, and
11 so the people consulted would be the people who
12 would be -- either have a custodial relationship
13 to the data or knowledge of where it might be.

14 Q. And then "areas searched," that is
15 physically what they were actually searching?

16 A. Yes.

17 Q. Do you know, from your notes or from your
18 memory if we went through, who did the actual
19 searches?

20 A. I -- I don't. I understand that the
21 people consulted were involved. I don't know who
22 physically did the hands-on searches. Or, in the
23 case of the computer systems, I guess I would call
24 those hands-on as well. But the actual searches.
25 It was certainly under attorney supervision.

1 Q. And then you've got another column,
2 "search criteria"; correct?

3 A. Yes.

4 Q. So just looking at this second one under
5 "industrial hygiene" for Leavitt. It's Request
6 Number 46 and Request for Production Set Number 3,
7 it says here the search criteria is "knowledge of
8 file names and key words for talc and asbestos."

9 So what do they actually look -- first of
10 all, let me see if I can get an idea of what
11 happened in that search. What was -- whoever
12 did -- do we know who did the search, the actual
13 search here?

14 A. I don't know who performed the search
15 except to say that it was based on the knowledge
16 of Vivian Pai and Reed Holbrook.

17 Q. And it says, "Looked for missing
18 information from earlier archive searches,
19 departmental share."

20 So what were they actually searching? Was
21 this a database search that they are's doing? Are
22 they doing a search of physical archives? What's
23 actually being searched?

24 A. I would understand that they looked in
25 both the -- the ERMS archive as well as the

1 network share drive.

2 Q. Now, on some of these others, you actually
3 did put EMRS (sic) here and you didn't put that
4 here, so I'm curious. Are you guessing when you
5 say they looked at ERMS?

6 A. Well, when Ms. Downs used the word
7 "archive searches," that's what I interpreted her
8 to be referring to.

9 Q. Okay. And that's what we discussed at
10 length in Volume I was the ERMS searches that --
11 it's kind of an indexing system; correct?

12 A. For files in off-site --

13 MR. COX: Object to form.

14 THE WITNESS: Sorry.

15 MR. COX: Go ahead.

16 THE WITNESS: Files in off-site storage
17 and in certain cases files that are on -- in
18 company facilities.

19 BY MR. SWANSON:

20 Q. It says, "Knowledge of file names and key
21 words for talc and asbestos."

22 That's the search criteria. What does
23 that mean?

24 A. I understood that to mean that, with
25 respect to the file shares, that between Ms. Pai

1 and Mr. Holbrook, they looked for certain -- they
2 scanned the list of file names in the departmental
3 share and looked for files that they knew would be
4 named accordingly.

5 The key words I took to mean terms that
6 were applied to the searches of the ERMS.

7 MR. SWANSON: Madam Court Reporter, can
8 you read that back, please.

9 (Record read by the court reporter.)

10 BY MR. SWANSON:

11 Q. I don't understand. They're looking for
12 file names where?

13 A. In the share drive. So, for instance, it
14 may be denoted as the L drive or the whatever
15 drive letter is associated with an area on the
16 company's computer network where they -- everyone
17 can contribute and deposit files, Microsoft office
18 files, other files that are at the departmental or
19 work group level.

20 Q. So this is -- which company are we talking
21 about here? The share files?

22 A. My understanding would be corporate --

23 Q. Go ahead.

24 A. Well, Ms. -- Ms. Pay -- Pai would have
25 been in the corporate area, so she would have

1 consulted a corporate share.

2 Q. Okay. So when you say "corporate share,"
3 you mean Johnson & Johnson proper?

4 A. That's my understanding.

5 Q. Are you guessing or that's what you --

6 A. Well, the notation for her title was WW.
7 So "Worldwide" would -- I believe, and I -- that's
8 what I took "WW" to denote.

9 I did not follow up and determine her
10 corporate affiliation. I see that I
11 wrote "corporate," so I -- by all indicia, she is
12 part of the corporate organization as opposed to
13 consumer. I did not independently reference
14 her -- you know, look her up in the directory or
15 anything like that.

16 Q. And how far back is the information
17 that's -- or documents and information there on
18 their share drives, do you know?

19 A. My understanding is that the -- the
20 information in share drives is generally
21 persistent. It is not -- it is not subject to
22 disposition. There may be -- they may have the
23 ability to perform retention on it, but I -- my
24 understanding is that that material is -- just
25 stays on the share drive.

1 Q. And what's the original source of those
2 materials?

3 A. Oh, those would be documents that authors
4 had placed there or people who had received them
5 had placed there. So it is -- you know, because
6 it's a share drive, it does not necessarily tell
7 us how something got there. It -- we may be able
8 to look at meta data and see who put it there
9 originally, but there's not really a story that's
10 told in the -- in the file share as to how
11 something got there. Therefore, I believe
12 Ms. Downs relied on these people's memory to
13 understand where to look in the share drive that
14 would be for the relevant information.

15 Q. So are these share drives like small
16 companies have where a bunch of information just
17 gets dumped in shared files -- in a shared drive?

18 MR. COX: Object to the form.

19 THE WITNESS: Well, I -- I understand that
20 at Johnson & Johnson -- and I've heard that the
21 term "L drive" being referred to denote areas
22 where there is a shared directory.

23 Now, that might be different for, let's
24 say, marketing versus R&D, but, generally
25 speaking, the company makes share drives available

1 to users to place information on, and that's
2 determined by the department as to how people use
3 it.

4 Q. Is there -- is there some kind of standard
5 operating procedure about what gets put there and
6 what gets retained there and what gets removed and
7 who removes it?

8 MR. COX: Object to the form.

9 THE WITNESS: Well, to my understanding,
10 the company's retention policies do not speak to
11 what I call "containers" or "vehicles."

12 So, in other words, the L drive, the share
13 drive, would be simply a place to store
14 information. The -- the policies or retention
15 schedules relate to the purpose, the use of the
16 document, the fact that it may be classified
17 according to a retention schedule based on its --
18 its content and purpose. That's what would
19 determine how it's treated as opposed to whether
20 it's on a share drive or some other location.

21 BY MR. SWANSON:

22 Q. I'm sure I'll have questions about that
23 later.

24 So you gathered a list of holds; correct?

25 A. Yes, I did.

1 Q. Okay. And can you -- do you have multiple
2 copies of that?

3 MR. SWANSON: So let's mark that as -- let
4 me mark yours -- as Exhibit 21 to your deposition.

5 (Whereupon, Plaintiff's Exhibit 21 was
6 marked for identification.)

7 BY MR. SWANSON:

8 Q. When did you compile the list of holds?

9 A. Last week.

10 Q. Okay. And I know some of these were
11 produced to us previously and some were produced
12 subsequently to the plaintiffs in these cases. I
13 have seen these.

14 Is this a complete list of all of the
15 Johnson & Johnson holds with respect to talc
16 litigation?

17 MR. COX: Object to the form.

18 THE WITNESS: I requested holds relating
19 to consumer -- consumer talc.

20 BY MR. SWANSON:

21 Q. And is this the complete list of
22 historical holds related to consumer talc?

23 MR. COX: Object to the form of the
24 question.

25 THE WITNESS: This is my understanding of

1 what was -- what was found to satisfy my request.

2 BY MR. SWANSON:

3 Q. What specifically was your request?

4 A. For holds relating to consumer talc.

5 Q. And is the spokesperson for Johnson &
6 Johnson, then, this -- you have no information of
7 any prior legal holds related to consumer talc,
8 consumer talc litigation; correct?

9 MR. COX: Object to the form.

10 THE WITNESS: That's correct.

11 BY MR. SWANSON:

12 Q. Did you interview anybody about legal
13 holds or did you ask -- just ask counsel for
14 whatever legal holds they had?

15 A. I spoke with counsel.

16 Q. And by the way, in between the two
17 depositions, how much time have you spent speaking
18 to Johnson & Johnson's counsel?

19 A. I was on site probably five or six times,
20 either working by myself or working with counsel.
21 Probably -- with counsel, perhaps 15 to 20 hours.

22 Q. And you say "on site," you mean at the
23 Skadden law firm offices?

24 A. Yes.

25 Q. Is there anything that you spoke to Pamela

1 Downs or Laura Giacino related to Johnson &
2 Johnson that is not summarily reflected in your
3 notes?

4 MR. COX: Object to the form.

5 Go ahead.

6 THE WITNESS: Of course, my prior
7 conversations with Ms. Downs are in my other
8 notes. But in terms of the current time period,
9 it's all in here.

10 BY MR. SWANSON:

11 Q. Were any searches done or inquiries done
12 to -- were any inquiries or searches done to
13 locate responsive documents, other than you
14 requesting holds and retention schedules,
15 responsive documents to the plaintiff's requests
16 in the Leavitt and Fong cases subsequent to your
17 first volume of your deposition?

18 MR. COX: Object to the form.

19 THE WITNESS: I -- if I understand your
20 question correctly, I don't have complete
21 knowledge of that. I know that additional
22 materials have been provided to plaintiffs,
23 additional retention schedules of company
24 policies. I updated -- some of my materials that
25 I worked on with counsel that were updated had

1 been provided.

2 I don't know about searches.

3 Q. Okay. So, other than the additional
4 retention schedules and the worldwide records and
5 information policy being produced and the
6 additional holds, you're not aware of any other
7 searches being done since September 24th; correct?

8 A. Well, I wouldn't -- I wouldn't be aware.
9 I mean, I'm not privy to that -- to that in terms
10 of the ongoing communications between plaintiff
11 and defendants.

12 Q. I understand. But your role here is to
13 talk about searches that were done, and I'm just
14 simply asking, since September 24th, are you aware
15 of any other searches being done other than for
16 the items that we just mentioned with respect to
17 holds, retention policies and...

18 A. I see. No. I'm only aware of that, that
19 which has been listed in the sheet.

20 Q. And I believe that -- you just mentioned
21 that you've updated some notes specific to these
22 cases; is that correct?

23 A. Yes.

24 MR. SWANSON: Do you have a copy of that,
25 Chris? Thank you.

1 So let's mark this as Exhibit 22 to your
2 deposition. If you give me your copy, let me mark
3 that.

4 THE WITNESS, oh sure.

5 (Whereupon, Plaintiff's Exhibit 22 was
6 marked for identification.)

7 BY MR. SWANSON:

8 Q. What is Exhibit Number 22?

9 A. This was an updated version of a document
10 that I worked on with counsel, and it's basically
11 simply a list of the noticed deposition topics
12 that I received, coupled with some of the produced
13 materials that correspond to them.

14 Q. And this is an update of a document you
15 previously produced; is that right?

16 A. Yes.

17 Q. And I believe we previously attached that,
18 but I'll sort that out later.

19 Did you -- are there any other reports or
20 writings or notes that you made subsequent to
21 September 24th regarding this deposition in the
22 Leavitt and Fong cases?

23 A. No.

24 Q. I've just been provided today worldwide's
25 records and information management policies, so

1 I'm not going to get into the particulars of
2 the -- all the prior ones, but I do want to go
3 over some basics on those based on the ones that
4 I've actually had an opportunity to review up
5 until now.

6 MR. COX: Mark, I'll just note for the
7 record that the revision history of the documents
8 that you're referring to are actually referenced
9 in the copies you've had for a while now.

10 MR. SWANSON: Oh, okay.

11 BY MR. SWANSON:

12 Q. And we may go over the other ones later or
13 we may just jump to them now if we need to. But
14 I'm going to hand you two of them, which is
15 Version 4.

16 MR. SWANSON: And that's Exhibit 23.

17 (Whereupon, Plaintiff's Exhibit 23 was
18 marked for identification.)

19 MR. SWANSON: And Version 5, which will
20 be -- whoops, that's my copy with my notes on
21 it -- Version 5 of Johnson & Johnson's worldwide
22 records and information management -- records and
23 information management program standard will be
24 Exhibit 24 to your deposition.

25 (Whereupon, Plaintiff's Exhibit 24 was

1 marked for identification.)

2 BY MR. SWANSON:

3 Q. Do you have those in front of you?

4 A. I do.

5 Q. Okay. So, yeah, there's some language at
6 the beginning of this. If you look at Exhibit 23,
7 do you see what it says the policy is at the top?

8 A. Yes, I do.

9 Q. And can you read that out loud?

10 A. "Records and information shall be created,
11 valued, protected, managed, and disposed in
12 accordance with applicable laws, regulations, and
13 the requirements of the worldwide records and
14 information management policy and standards and
15 other applicable Johnson & Johnson policies."

16 Q. This is Version 4 of this, but you've seen
17 prior policies; correct?

18 A. In the past I have, yes.

19 Q. And the initial policy, Version 1, that
20 goes back to 2009; correct?

21 A. I don't recall.

22 MR. SWANSON: Can I mark yours and then
23 print another one? I apologize.

24 (Whereupon, Plaintiff's Exhibit 25 was
25 marked for identification.)

1 BY MR. SWANSON:

2 Q. I'm just going to go ahead and hand you
3 what's marked as Exhibit Number 25. You have that
4 in front of you. And that indicates that the
5 Version 1 of 1.0 of Johnson & Johnson's worldwide
6 records and information management policy was
7 created or -- the date of this policy is July 31,
8 2009; correct?

9 A. Yes.

10 Q. So their -- Johnson & Johnson's worldwide
11 records and information management policy only
12 goes back to 2009; correct?

13 A. This particular policy document, yes, was
14 created in 2009.

15 Q. Well, this is Version 1.0; correct?

16 A. Yes.

17 Q. There's no prior version to that, is
18 there?

19 A. I'm not aware of a worldwide prior
20 version.

21 Q. So this was the first worldwide standard
22 for records and information management policy at
23 Johnson & Johnson; correct?

24 MR. COX: Object to the form.

25 THE WITNESS: Yes.

1 BY MR. SWANSON:

2 Q. And this policy, if you look back at
3 Number 23, Exhibit 23, the policy that is
4 described there at the top of creating, valuing,
5 protecting, managing, disposing in accordance with
6 applicable laws, you know, records and
7 information, that -- does that accurately describe
8 the policy?

9 MR. COX: Object to the form.

10 THE WITNESS: I -- I believe it describes
11 this version of the policy. This is the language
12 of the policy. I don't understand. This is
13 the -- the language from the policy is, I believe,
14 what you were referring to, and that is -- that is
15 the preamble to the policy.

16 BY MR. SWANSON:

17 Q. Okay. So let me ask you this: Is it --
18 since 2009 part of Johnson & Johnson's record and
19 information management policy to create, value,
20 protect, manage, and dispose of information and
21 records in accordance with applicable laws,
22 regulations, and requirements of that policy?

23 MR. COX: Object to the form.

24 THE WITNESS: Well, yes, I've seen it in
25 that language in the Version 1.0, and I believe

1 you're referring to the 4.0 version. I see it
2 there as well.

3 BY MR. SWANSON:

4 Q. Okay. And is that still Johnson &
5 Johnson's philosophy that a record -- their
6 worldwide records and information management
7 policy has to do with managing and disposing of
8 records and information in accordance with various
9 laws, regulations, and legal requirements?

10 A. Is it still the policy today?

11 Q. Yes.

12 A. My understanding is that it is -- it is
13 still the policy today. There is a new category
14 of -- of management of information which is
15 archive, and that archive may be encompassed in
16 the phrase "disposition." In the later versions
17 of the program standard, the archive option was
18 made more explicit.

19 Q. So we have Version 5 here. Is that the
20 most recent version?

21 And that's Exhibit -- what did we mark
22 that as? 24?

23 A. 24.

24 Q. Is that -- is this the most recent
25 version, Exhibit 24?

1 A. I'd want to check my notes to confirm
2 that.

3 Q. Now, if you look at Exhibit 24 -- 23, if
4 you look at the second page of this, you see
5 under "provisions"?

6 A. I'm sorry, did you say "24" or "23"?

7 Q. 23.

8 A. Yes. I'm there.

9 Q. Okay. And here -- it says here, "Records
10 and information shall be retained in accordance
11 with the Johnson & Johnson enterprise retention
12 schedule in accordance with applicable legal
13 holds. When a record or information retention
14 requirement is reached, it shall be disposed of in
15 accordance with this policy and associated WWRAM
16 (sic) standards and in compliance with operating
17 company procedure."

18 Do you see that?

19 A. Yes.

20 Q. So the idea of having this management
21 policy is that it -- it's addressing how to
22 preserve and dispose of documents and the two
23 tools that are being used in conjunction to make
24 those determination are retention schedules and
25 legal holds; correct?

1 A. Yes.

2 Q. And that's still the policy; correct?

3 A. To my understanding, yes.

4 Q. And so -- and it says there, when -- when
5 a retention requirement is reached, a record
6 information "shall be disposed of." Right? In
7 accordance with the policies.

8 So when you reach a retention schedule,
9 the limit of how long something has to be held, if
10 there's no legal hold in place, it gets disposed
11 of typically; correct? That's the idea of this
12 policy; true?

13 A. Yes.

14 MR. COX: Object to the form and
15 mischaracterizes the document.

16 BY MR. SWANSON:

17 Q. Would you agree -- does Johnson & Johnson
18 agree that for a records retention policy to be
19 effective it has to be complied with?

20 True?

21 MR. COX: Object to the form.

22 THE WITNESS: The -- the company creates
23 policies that are -- that express its -- its
24 intentions and procedures under them that enable
25 employees to comply with those policies.

1 BY MR. SWANSON:

2 Q. Sure. Of course. That's what a policy
3 is. But if you've got a policy and you don't
4 comply with it, then it's not an effective policy;
5 correct?

6 A. Except -- yes, I would agree except to the
7 extent that policies don't necessarily in
8 themselves contain a mechanism to comply. You
9 need procedures to comply.

10 So the policy expresses what the
11 procedures should accomplish.

12 Q. Right. So there have to be procedures to
13 accomplish it, there has to be understanding by
14 employees; correct?

15 A. Yes.

16 Q. And that includes training of employees;
17 correct?

18 A. Yes.

19 Q. And whatever policies and mechanisms there
20 are need to be -- the employees who have records
21 or information need to know about those; correct?

22 A. Yes.

23 Q. So, for example, if there's a legal hold
24 and people don't know about a legal hold that --
25 that's theoretically applicable to documents or

1 information they have, then it's -- it has no
2 effect; correct?

3 MR. COX: Object to the form.

4 THE WITNESS: No effect in and of itself.
5 I mean, certainly there are other reasons why
6 people retain information such as retention
7 schedules.

8 BY MR. SWANSON:

9 Q. But if there wasn't a retention schedule,
10 they wouldn't be -- I mean, if there was -- if it
11 wasn't under a retention policy, then it wouldn't
12 be retained. Then -- and they didn't know about a
13 legal hold, then there would be no reason for them
14 to preserve that document; correct?

15 MR. COX: Object to the form.

16 THE WITNESS: There would be no business
17 reason for them to preserve them.

18 BY MR. SWANSON:

19 Q. They might preserve it sort of by accident
20 or by the fact of just not -- not getting around
21 to it, something like that. But otherwise they
22 would dispose of it; true?

23 MR. COX: Object to the form.

24 THE WITNESS: From the standpoint of the
25 policy documents, I would agree.

1 BY MR. SWANSON:

2 Q. You're aware that the plaintiffs demanded
3 all retention schedules from Johnson & Johnson,
4 correct, in this case?

5 A. I'm generally aware of that.

6 Q. And you're aware that it has been
7 represented to the plaintiffs in this case that
8 all of those policies have been produced; correct?

9 MR. COX: Object to the form.

10 THE WITNESS: I'm aware that those
11 policies that could be located have been provided
12 have been produced.

13 BY MR. SWANSON:

14 Q. And the oldest policy that you've seen is
15 1997; correct?

16 A. That is the oldest retention schedule I've
17 seen at the Consumer level.

18 Q. And what do you mean "at the Consumer
19 level"?

20 A. Well, the Johnson & Johnson Consumer, Inc.
21 or Consumer Products are, as it's been known over
22 the different names over the years, has, since the
23 early '90s, created its own retention schedules.

24 MR. SWANSON: Can I have that answer read
25 back, please.

1 (Record read by the court reporter.)

2 BY MR. SWANSON:

3 Q. Okay. So Johnson & Johnson -- you're
4 talking about the Johnson & Johnson Consumer
5 company that was the -- the subsidiary of Johnson
6 & Johnson that was specifically tasked with
7 marketing and distributing and manufacturing
8 Johnson's Baby Powder and Shower to Shower;
9 correct?

10 A. Yes.

11 Q. And there's a history of companies that
12 goes back to Johnson & Johnson Consumer Companies,
13 Inc.; Johnson & Johnson Consumer Products, Inc.;
14 Johnson's -- different-named companies; correct?

15 A. Yes.

16 Q. And you're telling me that those companies
17 had retention policies going back to the early
18 '90s?

19 MR. COX: Object to the form.

20 THE WITNESS: I'm -- in my fact-finding, I
21 interviewed Rosina Bruno-Sheerin who was one of
22 the company's records managers. She and -- and
23 others, too, perhaps Michelle Anderson, others
24 that I spoke to, indicated that there were --
25 there was at least a schedule created in the early

1 '90s that was based on the McNeil Company's
2 schedule.

3 BY MR. SWANSON:

4 Q. And where is that policy?

5 A. I have requested and through counsel have
6 requested what policies and schedules could be
7 provided by the consumer companies. What's been
8 provided thus far is what they were able to come
9 up with. I understand that they continue to
10 research the availability of additional materials.

11 Q. Okay. And you realize that -- so I'll
12 just cut to the chase here. You've seen the 1997
13 records retention schedule; correct?

14 A. Yes.

15 Q. So in 1997 in the records retention
16 schedule, Johnson & Johnson has a retention
17 schedule or retention period for records retention
18 schedules; correct?

19 MR. COX: Object to the form.

20 Go ahead.

21 THE WITNESS: I'm sorry. When you say
22 "Johnson & Johnson," which entity are you
23 referring to?

24 BY MR. SWANSON:

25 Q. It says "Johnson & Johnson Consumer

1 Products Companies." It was the -- you had
2 mentioned that the earliest one that you've seen
3 is 1997; correct?

4 A. Yes.

5 Q. And I have that here, and you have that.
6 And, in fact, that has been marked as Exhibit 13.
7 If you want to go ahead and pull that out.

8 A. Yes, I have it.

9 Q. If you look at page, I believe it's 251,
10 of Exhibit 13, which is the 1997 retention
11 schedule for Johnson & Johnson Consumer Products
12 Company.

13 And what does it say there about how long
14 records retention schedules documentations are
15 supposed to be maintained by the company?

16 A. Life of corporation.

17 Q. Okay. So if any records retention
18 schedules that Johnson & Johnson had were
19 destroyed or were lost or not preserved, disposed
20 of, whatever you want to call it, they weren't
21 following their own records retention policy, were
22 they?

23 MR. COX: Object to the form.

24 THE WITNESS: I mean, in response to that
25 hypothetical, I would agree.

1 BY MR. SWANSON:

2 Q. And Johnson & Johnson's Consumer Products
3 Companies, those are the folks who are making and
4 marketing and distributing the baby powder;
5 correct?

6 A. That's my understanding.

7 Q. So let's go to the notes. If you look
8 at -- if you kind of peel under the rest of those
9 exhibits, you find -- you can put that '97
10 schedule aside for now. I don't want to bog you
11 down with too many things, but if you look at
12 Exhibit 18, those are your notes. And those are
13 the notes that you created, I believe, in
14 preparation for your deposition in June in the
15 Hayes case; is that correct?

16 A. Yes.

17 Q. And we attached those as Exhibit 18. We
18 talked about this at some length.

19 MR. SWANSON: What I'd like to do is give
20 you another copy of those that we can work off of
21 more easily.

22 (Whereupon, Plaintiff's Exhibit 26 was
23 marked for identification.)

24 MR. SWANSON: I'm handing you Exhibit 26
25 to your deposition. And let me explain what that

1 is.

2 And I think I have a copy for you, Chris.

3 MR. COX: Thank you.

4 BY MR. SWANSON:

5 Q. Do you have Exhibit 26 in front of you?

6 A. Yes.

7 Q. And those are your notes that you prepared
8 in preparation for your deposition in the Hayes
9 case; correct?

10 A. Appear to be, yes.

11 Q. And what I've -- you see what I've done
12 here, I've had those paginated at the top right?

13 A. I see.

14 Q. And the reason is, is because I'm going to
15 have a number of questions about these and I
16 wanted to make it so that we could easily refer
17 each other to where we're -- where we're looking,
18 where your answer -- where it's related to my
19 question.

20 And so that's what I've done here.

21 And just, again, to summarize, you
22 prepared these notes from the conversations that
23 you had had with various Johnson & Johnson
24 business employees and also the people who are --
25 who deal with records retention, searches,

1 maintenance of document platforms, and that sort
2 of stuff; right?

3 A. I would agree except that I would say, and
4 I didn't really prepare them from the
5 conversations. They are the real-time record of
6 what people were saying as I was asking. So I was
7 typing as I was talking.

8 Q. So these are -- these are the best
9 verbatim records that you could take at the time?

10 A. Yes.

11 Q. And you mentioned a Rosina Bruno-Sheerin,
12 I think.

13 A. Yes.

14 Q. Making a reference to earlier retention
15 schedules prior to 1997; is that correct?

16 A. Yes.

17 Q. And can you direct that -- direct me to
18 that in your interview?

19 A. Yeah. First, I'm going to look in
20 Exhibit 19, which is just the index of the notes,
21 and I see that she's about halfway through. So
22 I'm going to...

23 So that's page 36.

24 Q. Okay. And where in your notes is the
25 reference to retention schedules of the Johnson &

1 Johnson Consumer Companies going back to the early
2 '90s?

3 A. On the first page, she noted that she came
4 to the company, to the -- what she calls the
5 "office side" in 1990, and she noted that she
6 created a retention schedule and aligned boxes and
7 used the McNeil versions as her basis.

8 Excuse me.

9 Q. Do you know what -- do you know what the
10 retention schedule entailed in terms of what
11 departments or companies it was for?

12 A. Simply what was put there, that there were
13 a few -- that there were not a large number of
14 boxes at that time. She references some specific
15 material such as batch records and R&D. It's not
16 clear from her notes what -- you know, what every
17 records type would have been at that point,
18 although one can conclude that the McNeil
19 schedules were already in existence at that point
20 and would have -- would have been -- had similar
21 content.

22 MR. SWANSON: Move to strike based on
23 speculation. It's also nonresponsive.

24 BY MR. SWANSON:

25 Q. So the retention schedule that you

1 created, was that only as to those boxes, those
2 few boxes that are referenced there? And if you
3 don't know, just tell me you don't know.

4 A. Yeah, like I said, my recollection is that
5 she's -- she told me and I wrote it down that she
6 based the schedule on the McNeil schedule. So
7 I -- by that, I infer or deduce that it was not
8 just covering the boxes in front of her but was
9 a -- meant to be a representative schedule.

10 Q. For what?

11 A. For the Fort Washington operation.

12 Q. And what was the Fort Washington operation
13 doing at that time? What specifically was their
14 involvement in baby powder?

15 MR. COX: Object to the form.

16 THE WITNESS: I'm not an expert on the
17 precise locations. I don't know that they -- that
18 side of the business was involved. I believe
19 there was -- there was more activity on the
20 Skillman side related to the baby powder but
21 that eventually the two sides came together.

22 BY MR. SWANSON:

23 Q. So you don't know whether these --
24 whatever retention schedule there was that she
25 created -- first of all, we don't have it. You

1 don't know the particulars of that, although she
2 said it was based on McNeil.

3 Have you reviewed the Neil Fort Washington
4 schedule?

5 A. No.

6 Q. So you don't -- as the representative for
7 Johnson & Johnson, you don't know what was in that
8 retention schedule, do you?

9 A. Correct.

10 Q. You don't know what the periods of
11 retention were for; correct?

12 A. Correct.

13 Q. And you don't know whether or not that
14 applied specifically what it applied to other than
15 something at Fort Washington; correct?

16 A. Correct.

17 Q. So if we wanted more information about
18 this, we would have to speak to Rosina
19 Bruno-Sheerin; correct?

20 MR. COX: Object to form.

21 THE WITNESS: Well, I've done my best to
22 summarize her recollection. Then there's other
23 references to those schedules in my notes. She is
24 a person with knowledge.

25 BY MR. SWANSON:

1 Q. What other references to early '90s
2 schedules are there in your notes?

3 Well, first of all, you said she's a
4 person of knowledge; she has more knowledge with
5 you about these issues of course; correct?

6 MR. COX: Object to form.

7 THE WITNESS: In terms of the specific
8 question about when -- when and how the schedules
9 were creating, she has that knowledge.

10 BY MR. SWANSON:

11 Q. Or even what the purview of those
12 schedules was in terms of that to which they were
13 applicable; correct?

14 A. I would agree.

15 Q. And where else in your notes?

16 A. I'm just running through the various
17 records notes.

18 Yeah. There's one reference in Cindy
19 Aden's notes about talking to Rosina regarding
20 historical schedules. I -- I'm continuing to look
21 for other -- other references.

22 Q. Okay. Let's -- we've got a lot to cover,
23 so if you see something later you can mention it
24 and we'll go over it, if there are other
25 references from other people, who had firsthand

1 knowledge of those schedules.

2 MR. COX: Mark, if you're going to move on
3 to a new topic, could we take a short break?
4 We've been going for about an hour.

5 MR. SWANSON: Let me ask one -- one
6 follow-up there.

7 BY MR. SWANSON:

8 Q. If you look at page 31 of your notes.
9 This is Exhibit 26 again.

10 A. "31" you said?

11 Q. Yeah. There was -- I'm trying to find it.
12 Looks like this ERMS was launched in 2014;
13 correct?

14 A. Yes.

15 Q. And you see where it says, "Now have
16 integrated retention schedule management in ERMS."

17 A. Yes.

18 Q. Was the -- was the retention schedule of
19 management not integrated prior to 2014 at
20 Johnson & Johnson?

21 MR. COX: Object to the form.

22 THE WITNESS: Well, I took that to mean
23 that the schedule had to be applied to TRIM to
24 GIFTS to Versatile independently as opposed to
25 being able to practice retention from a single

1 vantage point.

2 MR. SWANSON: Chris, did you say you want
3 a break?

4 MR. COX: Yeah. I figured you were going
5 to move on to a different topic.

6 MR. SWANSON: Well, yeah. I mean, there's
7 a lot to cover, so if you -- if he needs a break,
8 you need a break, that's fine.

9 MR. COX: Okay. Let's take a short break.

10 MR. SWANSON: Let's try to keep our
11 breaks --

12 THE VIDEOGRAPHER: This marks the end of
13 Video Media Number 1 in the deposition of James
14 Mittenthal.

15 Off the record at 10:13.

16 (Recess taken.)

17 THE VIDEOGRAPHER: On the record at
18 10:34 a.m.

19 This marks the start of Media Number 2 in
20 the deposition of James Mittenthal.

21 Counsel, you may continue.

22 BY MR. SWANSON:

23 Q. When you spoke to Rosina Bruno-Sheerin
24 about earlier schedules that have not been
25 produced and Johnson & Johnson hasn't located, did

1 she tell you that those were the first retention
2 schedules produced -- created by Johnson &
3 Johnson?

4 MR. COX: Object to form.

5 THE WITNESS: She indicated that there
6 were -- and I'm going to refer to her exact words
7 if that's okay.

8 BY MR. SWANSON:

9 Q. That's fine.

10 A. Or what I -- what I wrote from her words.

11 So this is on page 36, a few lines down.
12 "Created retention schedule and aligned boxes."

13 I took that to mean that she created the
14 retention schedule where none had existed for that
15 department or facility.

16 Q. But anything more than that, you don't
17 know as to whether or not those were the first
18 retention schedules applicable to her department
19 or something broader than her department; correct?

20 A. Correct.

21 Q. Are the current Johnson & Johnson record
22 retention schedules for the consumer companies and
23 the global retention -- well, let's start with the
24 consumer companies.

25 Are they mandatory?

1 MR. COX: Object to the form.

2 THE WITNESS: They describe periods by
3 which information in the various categories must
4 be held -- held for. So, to the extent that
5 they -- that a piece of information is viewed to
6 be subject to a retention schedule, then it is
7 required that that information be held at least as
8 long as that retention schedule prescribes.

9 BY MR. SWANSON:

10 Q. So that's a "shall" as opposed to a "may";
11 correct? Something that's mandatory that
12 employees are required to follow; is that true?

13 A. I would agree.

14 Q. And since what year have the retention
15 schedules for Johnson & Johnson been mandatory?

16 A. Well, I don't know. Johnson & Johnson
17 is -- is -- which Johnson & Johnson entity would
18 that refer to?

19 Q. Let's talk about the consumer companies
20 who are marketing and manufacturing, selling
21 Johnson & Johnson talc -- cosmetic talc products.

22 A. Okay. I would refer to my notes with
23 Darren Harris, which is going to be -- I'm sorry.
24 I'm looking at the wrong copy. This is the
25 paginated one. Page 27.

1 So in that note he indicated that ten
2 years ago in approximately 2009, the Skillman and
3 Fort Washington materials were -- were
4 consolidated.

5 Q. Where is that note on the page?

6 A. About ten lines down.

7 Q. Okay. It says, "Ten years ago Skillman
8 went under Fort Washington team, had different
9 SOPs for each."

10 What does that mean?

11 A. Standard operating procedures.

12 Q. As to what? Document retention?

13 A. How to effectuate document retention, yes.

14 Q. How does that answer my question about
15 whether or not the policies were mandatory? When
16 they became mandatory.

17 A. Yes. I -- I didn't see the precise answer
18 to that question in -- in his comments. I -- I
19 have a retention schedule from 1997 that applies
20 to Johnson & Johnson Consumer Products Companies.
21 That's the earliest schedule I'm aware of. There
22 may be mandatory schedules prior to that time.

23 Q. Now, did that 1997 schedule, which is
24 marked as Exhibit 13 to your deposition, that
25 doesn't say on there that it's mandatory, does it?

1 In fact, it calls it a "guideline." Doesn't it
2 say "guideline" right in the title, "Johnson &
3 Johnson Consumer Products Companies Guideline
4 Records Retention Schedule"? True?

5 A. Yes, I see that.

6 Q. But the current ones don't say
7 "guideline," do they?

8 A. I don't see that on the current ones.

9 Q. And when you were speaking to Rosina
10 Bruno-Sheerin, she told you that the prior global
11 records retention schedules were not mandatory but
12 were only a suggestion.

13 Do you recall that?

14 A. I'd like to reference...

15 Q. It's page 37.

16 A. Can you reference me to that point on
17 page 37?

18 Q. Yes. It's about -- a little more than
19 halfway down, it says, "in 2006 tried to make
20 records, titles more uniform in standardized
21 retention periods. Old corporate program called
22 'global records retention scheduled' was only a
23 suggestion."

24 Do you see that?

25 A. Yes, I do.

1 Q. So until 2006 or sometime around there --
2 well, let me ask you, because she's referring to a
3 2006 date and trying to standardize the retention
4 schedules. When she says this global records
5 retention schedule is only a suggestion, until
6 what year after 2006 was it still only a
7 suggestion?

8 MR. COX: Object to the form.

9 THE WITNESS: Well, the GRRS was not a
10 consumer products schedule. That was a corporate
11 schedule. That is a schedule that the Johnson &
12 Johnson corporate had devised to be available to
13 the franchise companies if they wished to use it.

14 In 2015, the GRRS was replaced with the
15 ERS, the enterprise retention schedule. At that
16 point adoption or harmonization with the ERS
17 became mandatory.

18 BY MR. SWANSON:

19 Q. So until 2015, if a particular Johnson &
20 Johnson operating company or department didn't
21 have its own retention schedule, then it could
22 comply with corporate's global record retention
23 schedule, which was only a suggestion; correct?

24 MR. COX: Object to the form.

25 THE WITNESS: My understanding is that it

1 was available to be used by the -- the entities if
2 they wished.

3 BY MR. SWANSON:

4 Q. And that would include -- would that
5 include overseas entities? And if you don't know,
6 just say you don't know.

7 A. Yeah. I don't know.

8 Q. Okay. And, again, is Rosina Bruno-Sheerin
9 the person we should be talking to about that?

10 MR. COX: Object to form.

11 THE WITNESS: About which topic?

12 BY MR. SWANSON:

13 Q. About whether or not the global records
14 retention schedules were applicable to overseas
15 operating divisions or subsidiaries of Johnson &
16 Johnson corporate.

17 A. Well, inasmuch as GRRS is a corporate
18 vehicle or was a corporate vehicle, I would think
19 a person in the corporate records program would be
20 the best person to elicit that from.

21 Q. Who would that be?

22 A. That could be Cindy Aden. That could be
23 Karen Skellington.

24 Q. Did you speak to them about that issue,
25 the applicability of the global records retention

1 schedule to Johnson & Johnson International or
2 Johnson & Johnson Hong Kong or Johnson & Johnson
3 Philippines, for example?

4 A. I don't recall speaking about that.

5 Q. So -- but until 2015, this global records
6 retention schedule was just a suggestion because
7 it existed until 2015 when it was replaced by the
8 ER -- the enterprise retention schedule; true?

9 A. Yes.

10 Q. So that just means by definition, then, if
11 an operating division or unit or department of
12 Johnson & Johnson did not have its own retention
13 schedule at the time, they either wouldn't have a
14 retention schedule or they could use this global
15 records retention schedule; true?

16 MR. COX: Object to the form.

17 THE WITNESS: I'm not familiar if both of
18 those alternatives were available. I know that
19 the schedule existed prior to 2015. I don't know
20 whether it was mandatory or not in the absence of
21 another schedule.

22 BY MR. SWANSON:

23 Q. Well, Rosina Bruno-Sheerin said it was
24 only a suggestion; true?

25 MR. COX: Object to the form.

1 BY MR. SWANSON:

2 Q. Old corporate program, that's referring to
3 GRRS, was only a suggestion. That's what she
4 meant; correct?

5 MR. COX: Object to the form.

6 THE WITNESS: In the -- in the 2006 time
7 frame I believe she was referring. Yes. I -- she
8 was referring to the 2006 period.

9 BY MR. SWANSON:

10 Q. How -- why do you say that that refers to
11 2006 period? The old corporate program you just
12 told me was GRRS and it wasn't replaced until 2015
13 by ERS. So the old program is GRRS; true?

14 A. Yes.

15 MR. COX: Object to the form.

16 BY MR. SWANSON:

17 Q. Okay. So are you telling me that, even
18 though she said the old corporate program called
19 GRRS was only a suggestion, are you telling me
20 that GRRS went from only being a suggestion to
21 being mandatory at some point?

22 A. No.

23 Q. Okay. So it was only a suggestion until
24 it was replaced by ERS; true?

25 A. That's my -- my understanding. But I

1 don't know the particulars. In other words, was
2 it a suggestion if the operating company didn't
3 have a schedule in place or was it a suggestion if
4 the operating company had a schedule in place they
5 could opt to use either. I don't know the
6 particulars between those two scenarios.

7 Q. Okay. But, to the extent it was being
8 used, it was, when it existed, only a suggestion;
9 true?

10 MR. COX: Object to the form.

11 THE WITNESS: Yes.

12 BY MR. SWANSON:

13 Q. And -- which means if a company or
14 division or department did not at the time have an
15 operative record retention schedule, then it could
16 have the option of using the GRRS; true?

17 A. That is my understanding.

18 Q. But if they had their own records
19 retention schedule, then they may or may not use
20 the GRRS; true? Because it wasn't mandatory.

21 A. There are other in-between possibilities.

22 Q. What's the in-between possibility?

23 A. They take the GRS, use it as a model, and
24 then alter it to suit their own requirements.

25 Q. You don't have any specific information

1 about any division or subsidiary doing that with
2 the GRRS, do you?

3 A. Correct.

4 Q. So I think we discussed this, but Johnson
5 & Johnson agrees that in order to follow its own
6 retention schedules -- well, its own document and
7 information policies and programs, people need to
8 be trained; correct?

9 A. Yes.

10 Q. And you learned from your interviews that
11 until 2008, a large number of people at Johnson &
12 Johnson were still untrained in records retention
13 policy; true?

14 MR. COX: Object to the form.

15 THE WITNESS: Can we reference a citation
16 for that somewhere in my notes?

17 BY MR. SWANSON:

18 Q. Yes. It's page 29 of your notes.

19 Okay. Let's be specific here. This is an
20 interview of Joan -- Joann Dodd?

21 A. Yes.

22 Q. Senior analyst, records management; true?

23 A. Yes.

24 Q. And she started in 2007-2008 according to
25 your notes; is that right?

1 A. In the records program, yes.

2 Q. And so she's in the records program.

3 Records program for which companies?

4 A. Consumer, Inc.

5 Q. Johnson & Johnson Consumer, Inc. And,
6 again, that's the company that's marketing and
7 manufacturing the cosmetic talc products including
8 baby powder and Shower to Shower; correct?

9 A. Yes.

10 Q. And do you see here where you wrote, "Back
11 in 2008, 56 percent participation in recurring
12 departmental training. Now 98. But would not" --
13 "but would perform departmental audits."

14 So in 2008, only 56 percent of the
15 employees at Johnson & Johnson Consumer, Inc.,
16 only 56 were trained in the records policies; is
17 that right?

18 A. No.

19 Q. What does that mean?

20 A. Recurring training, meaning that the --
21 you come to the company as an employee, you
22 receive records training. You were then required
23 to get recurring training once or twice a year as
24 you go forward in your -- in your job.

25 Q. Does it say anything in your notes

1 about -- well, before I get there, what's the
2 purpose of recurring training?

3 A. To reinforce the objectives and the
4 procedures for record retention, to inform
5 employees of any changes in those procedures.

6 Q. Okay. And that's done currently at
7 Johnson & Johnson Consumer, Inc. How often is
8 that done, these reoccurring trainings?

9 A. A couple times a year.

10 Q. And so there's 44 percent of the people as
11 of 2008 were not getting recurring training; true?

12 A. In 2008, I -- I would agree that that was
13 her point.

14 Q. And what was the participate -- when
15 did -- do you have any information as of 2008
16 whether or not any initial training was done?

17 A. I understand initial training was required
18 for people to get started in their job. I
19 understand that was mandatory. I could go back to
20 understand if that was a hundred percent or some
21 lesser number. I don't have that number at hand.

22 Q. Where did you get the understanding that
23 there was as of 2008 a mandatory, or initial
24 training?

25 A. I have -- it may be in my notes; it may

1 not. Over the years I have spoken to Johnson &
2 Johnson employees and understand that there is an
3 onboarding process that includes records training.

4 Q. And so that initial training was something
5 that would be done -- well, first of all, who --
6 do you remember who that was who told you that?
7 And do you know if it was as to Johnson & Johnson
8 Consumer, Inc. or the Johnson & Johnson Consumer
9 Companies?

10 A. I would have to look through my notes. I
11 don't recall -- I know there have been references
12 to it. I don't recall the context for whom I
13 heard it from, and, to the extent that it's in my
14 notes, I can check.

15 Q. And when -- what is -- I don't want you to
16 guess, but do you have any information about when,
17 what year Johnson & Johnson instituted records
18 retention and records policy training for new
19 employees?

20 A. With your permission, I'm just going to
21 look through a couple of my notes and see if I
22 can't get some references to that.

23 Q. Sure. Go ahead.

24 A. Well, the first one I just found off the
25 bat was that Ms. Dodd just a few lines above from

1 when we were talking about indicated that training
2 must be accomplished in 30 days for a new
3 employee.

4 Q. Where does it say that?

5 A. Your page 29, right after that section
6 that says the five SOPs.

7 Q. Oh, "need training within 30 days"?

8 So that's referring to records management
9 training and records retention schedule training?

10 A. Further down it indicates, "Training
11 included legal hold, departing associates,
12 retention procedures, roles."

13 Q. Okay, but again, I believe the question
14 was, do you have any information of when that
15 started, training within 30 days of a new
16 employee?

17 A. I do not.

18 Q. And so you don't know even if that was
19 happening in 2005; true?

20 A. I don't have specific information about
21 that.

22 Q. And you don't know whether or not that
23 was being -- people were being trained at all as
24 to that 1997 records retention schedule, do you?

25 A. I do not.

1 Q. Now, if 44 percent of the folks aren't
2 going to reoccurring training as to 2008 and
3 somebody started a long time ago, they may have
4 never had the training; true?

5 MR. COX: Object to the form.

6 THE WITNESS: It's possible. I -- I think
7 Ms. Dodd made the point afterwards that there were
8 departmental audits that were conducted outside
9 the training to verify participation and
10 knowledge.

11 BY MR. SWANSON:

12 Q. Do you know the particulars of those
13 audits?

14 A. No.

15 Q. So, again, Joann Dodd would be the person
16 to talk -- for us to talk to about that; correct?

17 MR. COX: Object to the form.

18 THE WITNESS: With respect to that topic,
19 yes.

20 BY MR. SWANSON:

21 Q. And would you agree with me that, even if
22 training had started at the time of the initial
23 record retention schedules or going back to 1997,
24 that if somebody started right around then and
25 didn't have retraining, whatever knowledge they

1 had about the records retention would be variable
2 and it could be pretty stale, couldn't it?

3 MR. COX: Object to the form.

4 THE WITNESS: It's -- it's possible. Her
5 point, to follow on to that statistic, was that
6 audits would detect a nonparticipation.

7 BY MR. SWANSON:

8 Q. Where's the reference to audits again?

9 A. Just under the 98 percent.

10 Q. Well, you said something about detecting.
11 It just says here "but would perform departmental
12 audits."

13 Other than what you wrote there, those
14 five words, "but would perform departmental
15 audits," do you have any information about those
16 audits?

17 A. Not about the audits themselves.

18 Q. And were there any audits prior to 2008?

19 A. She didn't indicate when the audits
20 started.

21 Q. So there may not have been; true?

22 A. I can't speak one way or the other.

23 Q. I want to ask you about something
24 called -- referred to in your notes as "cleanout."

25 Are you familiar with that?

1 A. Yes.

2 Q. Okay. And what was -- what does cleanout
3 in your notes in the several people you discuss
4 cleanout about, what does that refer to?

5 A. Cleanout was a reference to a retired
6 WWRIM standard entitled "Records Cleanout
7 Standard."

8 Q. And the cleanout was a -- it was called
9 the "cleanout event"; correct?

10 A. Yes.

11 Q. And the cleanout event was something that
12 happened annually; correct?

13 A. Generally.

14 Q. And it was mandatory; true?

15 A. It was a participatory event, the -- like
16 an inventory day in a business.

17 Q. So a manager of a department would oversee
18 the cleanout event, correct, or some manager in
19 the department?

20 A. Managers and records coordinators and
21 records officers.

22 Q. And they did that to ensure that everybody
23 was complying with the policy in doing the
24 cleanout event annually; true?

25 A. Yes. Compliance was also the individual

1 employee's responsibility, but in terms of
2 disposal of information, they were also there to
3 sign off on disposal of information.

4 Q. And generally speaking, the cleanout event
5 was essentially if something is not currently
6 being held because of a retention schedule or a
7 legal hold, it should -- it has to be destroyed;
8 correct?

9 MR. COX: Object to the form.

10 THE WITNESS: The -- the purpose of the
11 cleanout day was to give opportunity to the
12 employees to go through their materials, identify
13 those that were candidates for disposition, and
14 basically get themselves organized.

15 BY MR. SWANSON:

16 Q. But when you say "disposition," what
17 you're really talking about is if the documents
18 were not subject to a hold or to a retention
19 period still, those documents, when you say
20 "disposition," you mean they were to be destroyed;
21 correct?

22 A. That's right.

23 MR. COX: Object to form.

24 BY MR. SWANSON:

25 Q. They can't keep them around. You

1 destroyed those records; true?

2 MR. COX: Object to the form.

3 THE WITNESS: That's right.

4 BY MR. SWANSON:

5 Q. Now, I just got some of these today, these
6 WW worldwide records and information management
7 policies. So I apologize if I fumble around on
8 them a little bit, but I'm going to -- I want to
9 go through them a little bit with you.

10 You know, we probably should just for
11 your -- let's take that stack over there and put
12 it on top over there, I think, will help you out.
13 And then see what you've got underneath. Probably
14 keep the notes around. You're going to need
15 those.

16 Okay. And I think we marked, and
17 hopefully I can locate it, the Version 1.0 is
18 marked as Exhibit Number 25, and I believe you
19 have that.

20 I can show it to you there so you can see
21 what it looks like.

22 A. 25. Here it is.

23 Q. You got 25. Okay.

24 Do you have that in front of you?

25 A. Yes, I do.

1 Q. And so this is the worldwide's record
2 information management policy Version 1.0 dated
3 July 2009; true?

4 A. Yes.

5 Q. And the Version 1.1, which was also
6 produced and we will mark that, too, and the rest
7 of the versions that were provided have quite a
8 few pages, I don't know, 30, 40 pages, something
9 like that. This one looks to be about four or
10 five pages.

11 Do you know where the rest of this
12 document is?

13 MR. COX: Object to the form.

14 THE WITNESS: Did you say 1.1?

15 BY MR. SWANSON:

16 Q. No. 1.0 is what we're looking at.

17 A. Okay.

18 Q. I just referenced the other ones because
19 they're --

20 I need to get some water. I'll be back in
21 two seconds. Pardon me.

22 Okay. So you have Exhibit 25 in front of
23 you?

24 A. Yes.

25 Q. And let's go ahead and --

1 Do you have -- do you have Policy 1.1?

2 A. I don't believe I do.

3 MR. SWANSON: Let's see. Let's mark this
4 one for you.

5 (Whereupon, Plaintiff's Exhibit 27 was
6 marked for identification.)

7 BY MR. SWANSON:

8 Q. So Johnson & Johnson worldwide records and
9 information management policy Version 1.1,
10 September 30, 2009, that is marked as Exhibit 27.

11 Do you have that one in front of you?

12 A. I do.

13 Q. Okay. Let me just go ahead and give you
14 the rest of them, too, so you've got them in front
15 of you.

16 MR. SWANSON: And Version 2 of the WWRIM
17 policy dated 2011 is Exhibit 28.

18 (Whereupon, Plaintiff's Exhibit 28 was
19 marked for identification.)

20 (Whereupon, Plaintiff's Exhibit 29 was
21 marked for identification.)

22 BY MR. SWANSON:

23 Q. And Version 3.0 of the WWRIM policy dated
24 April 1, 2014, is Exhibit 29.

25 Do you have that in front of you?

1 A. Yes.

2 Q. And we had already marked Versions 4 and
3 5.

4 Okay. So going back to Exhibit 25,
5 Version Number 1.0, from July 31, 2009, where is
6 the rest of the policy in terms of these various
7 what you call "RIMS"?

8 MR. COX: Object to the form.

9 THE WITNESS: Assuming this is complete, I
10 don't see the standards in Version 1.0.

11 BY MR. SWANSON:

12 Q. So as of July -- but you said assuming
13 this is complete.

14 Do you know if this is complete?

15 A. I have not seen this Version 1.0 before
16 today.

17 Q. Okay. Do you see on all of these WWRIM
18 policies that were just produced today to us this
19 morning, Versions 1.0 through Version 3, why are
20 there no Bates numbers on those documents?

21 A. I -- I can't speak to that. I -- that
22 would be a lawyer question.

23 Q. Now, the record retention schedule that
24 was produced, the first one that you have, goes
25 back to 1997.

1 Was there a records and information
2 management policy or policies that went back to
3 1997?

4 MR. COX: Object to the form.

5 THE WITNESS: My understanding is that
6 there were policies that accompanied the
7 schedules.

8 BY MR. SWANSON:

9 Q. Okay. And I did not see those policies
10 produced with the records retention schedules that
11 were produced to us.

12 Do you have those?

13 A. No.

14 Q. Do you know where those are?

15 A. My understanding is that the records
16 department is continuing to research those
17 materials.

18 Q. Is it also fair to say that those -- those
19 record retention policies prior to 2009 would have
20 also been documents that should have been kept for
21 the -- left for the corporation?

22 A. I'd have to go back to the schedule and
23 see how the schedule is defined.

24 Do we have a reference to that?

25 Q. Is that page 251 of Exhibit 13, I believe?

1 That's the section on records management.

2 You see records management training
3 information, records destruction authorization,
4 records. Oh, sorry -- yeah, 251, records
5 retention documentation.

6 And if you don't know, that's fine. Oh,
7 if you see records -- if you look at -- let me
8 just ask you differently: Do you know what the
9 retention period was on records and information
10 management policy prior to --

11 A. Well, I was looking.

12 Q. -- 2009?

13 A. I was looking and I found on page 248 of
14 the '97 schedule an indication that policy
15 documents, which are defined as written
16 descriptives of the operating principles, are
17 directives pertaining to the organization, are to
18 be held S plus 8.

19 Q. S plus 8. So that would be 2009 to 2017;
20 true?

21 A. So, in other words, the year that they
22 were superseded plus 8.

23 Q. Oh, okay. I see. So presumably, then,
24 you would expect that there should be some
25 policies still, although we'd have to look at

1 subsequent record retention schedule to see if
2 that stayed consistent; true?

3 A. I'd have to do the arithmetic, frankly.

4 Q. All right. Okay. Let me ask you about --
5 I've got some questions on Number -- Version 1.1,
6 that's Exhibit 27. Okay.

7 If you go to RIMS Number 3 in that
8 document, which is about, looks like about eight
9 pages in?

10 A. Records cleanout events standard.

11 Q. You got that right?

12 A. Okay.

13 Q. And this is referring to the cleanout
14 event, the annual cleanout event that we were
15 talking about earlier; right?

16 A. Yes.

17 Q. And this indicates that this -- this would
18 have been in effect September 30, 2009; true?

19 A. Yes.

20 Q. Were there cleanout events prior to
21 September 2009?

22 A. I have general knowledge -- and it may not
23 be reflected in my notes -- I have general
24 knowledge that -- that there were.

25 Q. How far back were there cleanout events

1 prior to 2009?

2 A. I don't have specific answers to that. My
3 understanding is that it was a -- had been in
4 place for a number of years based on the fact that
5 the company was working primarily in paper going
6 back many years and that the cleanout standard and
7 event was organized to organize -- was held to
8 help employees organize paper documents primarily.

9 Q. And do you know -- you don't know
10 specifically how many years that goes back,
11 though; true?

12 A. Correct.

13 Q. And this was -- the policy -- this policy
14 WWRIM is a worldwide policy; correct?

15 A. Yes.

16 Q. So that would affect what's going on in
17 the Philippines, J&J Philippines, J&J Hong Kong;
18 true?

19 A. It -- by implication worldwide, yes, would
20 apply worldwide.

21 Q. Because it says it provides requirements
22 for Johnson & Johnson operating companies; true?

23 A. Yes.

24 Q. It says, "Reference terms" -- under
25 "definitions," it says, "Reference terms used in

1 the standard are found in the worldwide's record
2 and information management program glossary."

3 Had that been provided to us?

4 A. I'm looking at the definitions section at
5 the front of the policy. I don't know if that is
6 the glossary that's being referenced or not.

7 Q. What page is that?

8 A. The first page.

9 Q. That doesn't look like a glossary to me.

10 Does that look like a glossary to you,
11 under "definitions"?

12 A. I don't know.

13 Q. Wouldn't a glossary list the various terms
14 that are used and define each of the terms?

15 A. Yes.

16 Q. Okay. And this definition just is a
17 definition of disposition, standard document hold,
18 records retention schedule, compliance, and
19 standard; true?

20 A. I don't believe it's compliance.

21 Q. Okay. But the rest of those terms that
22 are in -- the six italicized terms are the ones
23 that are defined there; right?

24 A. Yes.

25 Q. Now, this says, "Management program

1 glossary," the reference that I was referring to
2 under "cleanout event standard." And I don't see
3 anything here that says -- do you see anything in
4 this document that's been provided to us called
5 "Worldwide records and information management
6 program glossary"?

7 A. What I'm going to do is look at a later
8 version and see if that language is still...

9 Q. Okay. But please just answer my question
10 first.

11 A. I do not.

12 Q. Do you see something called a glossary in
13 this document, Exhibit 27?

14 A. I do not.

15 Q. Okay. So you didn't -- you didn't find a
16 glossary, did you?

17 A. Correct.

18 MR. SWANSON: Counsel, can you please
19 provide the glossary to us that's being referred
20 to there?

21 MR. COX: Take the request under
22 advisement.

23 BY MR. SWANSON:

24 Q. Going back to Exhibit 27. You got that in
25 front of you; right? We're at RIMS 3, page 1?

1 A. Yes.

2 Q. Okay. If you look at -- and, again,
3 "cleanout" in this context means disposition,
4 which means destruction; true?

5 MR. COX: Object to the form.

6 THE WITNESS: It may result in that. It
7 may just result in materials being better
8 organized.

9 BY MR. SWANSON:

10 Q. Where does it say that, "organized"?

11 A. Well, that is what I understand the
12 purpose of the day is, is to allow employees a
13 chance to look at their materials, determine what
14 needs to be better aligned with the records
15 schedule, dispositions, organized. It is an
16 organizational day which may result in the
17 materials being earmarked for disposition.

18 Q. Now, you said before and I don't want to
19 have to redo all this, but on cleanout day, if
20 it's not under retention pursuant to the schedule
21 and it's not under a legal hold, it gets
22 destroyed; right?

23 MR. COX: Object to the form.

24 THE WITNESS: Generally I would agree.

25 BY MR. SWANSON:

1 Q. Okay. Is there some specific instance
2 you're aware of where you don't agree with that?

3 A. No. But I think -- I think we're talking
4 about the same thing. The purpose of the day, the
5 day itself, is an organizational day that then
6 results in the ability to clean out certain
7 materials that are candidates for destruction.

8 Q. And do you see under 4.2, under "minimum,"
9 these are minimum implementation standards; true?

10 A. I see that, yes.

11 Q. And under 4.2, it says, "The operating
12 company shall conduct a cleanout event on an
13 annual basis."

14 So it means it's mandatory and it has to
15 be done annually; true?

16 A. Based on this, yes.

17 Q. And if you turn to the next page, Page
18 Number 2 of RIMS Number 3 in the WWRIM version
19 from September 30, 2009, under 4.3, it defines all
20 of the -- it lists all of the types of documents
21 that are subject to the cleanout; true?

22 A. Yes.

23 Q. And it says, "The cleanout event conducted
24 by the operating company shall apply the
25 requirements of the records retention schedule to

1 all media formats, hardcopy and electronic,
2 originals or copies, and draft documents during
3 the cleanout event activities."

4 True?

5 A. Yes.

6 Q. So it -- it pertains to all types of
7 documents, not just paper documents; correct?

8 A. Correct.

9 Q. There is a reference to a cleanout
10 communication kit.

11 Have you seen a cleanout communication
12 kit?

13 A. Can you reference me to that sentence?

14 Q. That is under 4.5. "Instructions for
15 accessing and reviewing hold notes will be
16 provided in the cleanout communication kit."

17 A. Yes, I see that.

18 Q. Do you see that?

19 A. Yes. I do now.

20 Q. What is the "cleanout communication kit"?

21 A. I don't know.

22 Q. Did it set forth the methods of destroying
23 or disposing of documents that were no longer
24 under legal hold or retention?

25 A. Well, I can't speak to the contents of the

1 kit itself, but I have general knowledge that
2 users were provided instructions, and I also have
3 an understanding that users were provided lists of
4 legal holds.

5 Q. And the list of instructions would include
6 how to go about destroying documents that weren't
7 under a legal hold or retention; correct?

8 MR. COX: Object to the form.

9 THE WITNESS: They would include
10 instructions how to identify them and bring them
11 to the manager or records officers for approval.

12 BY MR. SWANSON:

13 Q. But would it include instructions about
14 how to go about destroying them? I mean, because,
15 for example, if I've got emails on my computer and
16 they're not under a legal hold or a retention and
17 I've come to the cleanout event for the year and I
18 know if those aren't on retention when I'm going
19 through my stuff, these have to be thrown out,
20 right, destroyed, disposed of, does this cleanout
21 communication kit tell me how to go about doing
22 that so that I eliminate all trace of them?

23 MR. COX: Object to the form.

24 THE WITNESS: I can -- I can't speak to
25 the content of the instructions. I can speak to

1 my general knowledge of how users were using email
2 at that point and how the cleanout days operated
3 in general.

4 BY MR. SWANSON:

5 Q. I didn't ask that. So you don't know if
6 this cleanup communication kit had those
7 instructions about how to go about destroying
8 emails that were -- should no longer be
9 retained -- or other documents; true?

10 A. The reason I can speak to email is my
11 knowledge of how emails were retained at that
12 point in time.

13 Q. Okay. But you're not answering the
14 question. I understand you have information that
15 you want to tell me, but I'm just asking you a
16 very simple question, which is: Do you know if
17 this kit told them how -- employees how they
18 should destroy the records? Let me give you an
19 example. Forget email for a second.

20 Paper documents, okay? I've got documents
21 in my office, I'm a Johnson & Johnson employee.
22 They're not under records retention, they're not
23 under a hold anymore, and I know I'm supposed to
24 destroy them.

25 Do I have an instruction on destroying

1 them? For example, shredding them?

2 MR. COX: Object to the form.

3 THE WITNESS: I don't know, as I mentioned
4 before, what's in the cleanout instructions. I do
5 know that for those paper documents, in your
6 example, on cleanout days they wheeled these blue
7 containers on to the floor to be used for
8 destruction of paper materials, if approved.

9 BY MR. SWANSON:

10 Q. So the approved materials for destruction,
11 they're in a bin that wheels out; is that right?

12 A. That is how a cleanout day was described
13 to me for the sake of paper materials.

14 Q. So somebody was given the task of wheeling
15 this to each office or was it put in a central
16 location, do you know?

17 A. No.

18 Q. And then if you are -- if the records were
19 supposed to be destroyed under this cleanout event
20 policy, you'd put them in that bin; is that right?

21 A. With approvals, yes.

22 Q. What do you mean "with approvals"?

23 A. With the managers and records coordinators
24 approvals, they could be put in the bin.

25 Q. And what did that approval consist of?

1 A. That the employee has been verified to
2 have confirmed the records period and the lack of
3 an applicable legal hold or other reason why the
4 records should be retained.

5 Q. And is that in the WWRIM policy? Is that
6 written out, that there had to be approval?

7 A. I don't know.

8 Q. So where did you get that information
9 specifically that somebody had to specifically
10 approve an employee's destruction of records
11 pursuant to the cleanout policy?

12 A. I had interviewed in the past Karen
13 Skellington and other records officers who
14 described the procedure. I'm not sure if it's in
15 these notes or not.

16 Q. And specifically what did Karen
17 Skellington say about what the manager or
18 whoever's role was in signing off on that and
19 approving it?

20 A. I don't have more specifics than -- than
21 that at this point.

22 Q. Do you know if there was any kind of
23 documentation created?

24 A. I have general knowledge that the
25 sign-offs were in physical form, that there

1 were -- they were physical sign-offs. What
2 documentation that created I don't know.

3 Q. Do you know -- have you seen that
4 documentation?

5 MR. COX: Object to the form.

6 THE WITNESS: I don't recall.

7 BY MR. SWANSON:

8 Q. What's the retention policy of that
9 documentation of sign-offs, if you know?

10 A. I don't.

11 Q. The cleanout day, would that include
12 videos?

13 MR. COX: Object to the form.

14 BY MR. SWANSON:

15 Q. It says all media formats; correct?

16 A. Yeah. I don't have any better
17 interpretation than that.

18 Q. Would include CDs, correct, all media
19 formats, including hardcopy, electronic?

20 A. That would suggest to me that CDs would be
21 included.

22 Q. Did it include, for example, talc samples?

23 A. I would not conclude that based on my read
24 of the policy.

25 Q. What -- and why is that?

1 A. I don't see where samples would be defined
2 as a -- as a record.

3 Q. Was there an equivalent cleanout policy
4 for talc samples and talc grids, if you know?

5 A. I'm not aware of such a policy.

6 Q. But samples, things like samples and grids
7 that were relating to, let's say, testing, if it
8 was -- if talc was being tested and a particular
9 sample was tested and there were -- do you know
10 what a TEM grid is that's generated from
11 electronic microscopy? Generally, you know,
12 you've heard of it; right?

13 A. I've heard the term "grids."

14 Q. Okay. And do you know -- the policies --
15 at some point, did the retention policies have
16 something to say about that kind of physical
17 evidence like a sample or a grid?

18 MR. COX: Object to the form.

19 THE WITNESS: Not that I'm aware.

20 BY MR. SWANSON:

21 Q. So at page 2 of RIMS 3, you see under
22 4.33, and it just puts in writing there what we
23 had talked about, which is that essentially a
24 document hold suspends the direction -- the
25 destruction or deletion of records; correct?

1 A. Yes. Suspends operation of the policy.

2 Q. Right. Okay. If you look at RIMS 3,
3 page 3. Here it is. I knew I saw that in there.

4 You see under 4.6 it talks about a
5 cleanout communication kit which will contain at
6 minimum the information listed below?

7 A. Yes.

8 Q. And that includes the proper methods of
9 destruction and deletion; correct?

10 A. I see that, yes.

11 Q. So presumably if we had the cleanout
12 communications kit, that would tell us
13 specifically how to destroy, like, paper documents
14 and that sort of thing; true?

15 A. For that particular event, yes.

16 Q. And under 4.7 it says, "The activities and
17 participation shall be documented and reported."

18 Again, does Johnson & Johnson -- you don't
19 know how long it retains those reports, do you?

20 A. Correct.

21 Q. Do you know if it still has them, back to
22 2009, for example?

23 A. I don't know one way or the other.

24 Q. Under -- at the very bottom it says, "new
25 standard."

1 Do you see that, "Version 1.0"?

2 A. Yes.

3 Q. It says, "new document issued," has the
4 date 30th of September 2009.

5 But it has that under -- it says "revision
6 history."

7 So was that a revision or not?

8 A. Well, I believe that the -- the
9 overarching policy is 1.1, but this is the first
10 release of the records cleanout standards, so it's
11 designated 1.0.

12 Q. So let's look at the subsequent version of
13 this. Exhibit 28.

14 Do you have that in front of you?

15 A. Yes, I do.

16 Q. If you go to RIMS 3. It's seven pages in
17 or something like that.

18 Do you have that in front of you?

19 A. Yes.

20 Q. And this version, Version 2.0, was dated
21 January 31, 2011; right?

22 A. Yes.

23 Q. And do you see now that it's called the
24 "records cleanup events standard"?

25 A. Yes.

1 Q. This is the same basic policy, though;
2 correct?

3 MR. COX: Object to the form.

4 THE WITNESS: I mean, subject to the
5 revision history on page 3, yes.

6 BY MR. SWANSON:

7 Q. Okay. So there was some sort of changes,
8 fine-tuning to the policy at that point; is that
9 right?

10 A. Yeah. They are listed in the -- in the
11 table.

12 Q. Why was the name changed from "cleanout"
13 to "cleanup"?

14 A. Well, I can only point to the revision
15 history that says that for the law department,
16 that change was requested.

17 Q. Do you know why the law department decided
18 to call it a "cleanup" instead of a "cleanout"?

19 A. No.

20 Q. Did the -- now, when you interviewed
21 folks -- and I think there were four or five of
22 them -- about this, they all referred to it as
23 "cleanout," didn't they?

24 A. I would have to check. There's some sort
25 of a search. I can do some quick searches.

1 Q. So let me -- if you look at -- I can give
2 you some references there to help you out.
3 Page 5 -- page 30, 31, 34, and 55. And you're
4 looking at your notes, and the paginated version
5 of your notes is Exhibit 26.

6 A. I'm sorry, one more time, please?

7 Q. Oh. 5 is, I think, the first reference,
8 to about two-thirds of the way down, the "annual
9 cleanout days." This was...

10 A. Yes. Kate Gillespie.

11 Q. And then the next one was, I think, Dodd
12 at page 30.

13 You see "cleanout" at the bottom?

14 A. Yes.

15 Q. "Cleanout days" stopped around 2011?

16 A. Yes.

17 Q. So we don't need to go through each and
18 every one of them, but these folks were still
19 talking about "cleanout" at the point you
20 interviewed them in 2018; correct?

21 A. Yes.

22 Q. So -- and yet the policy was to call it
23 "cleanup" as of 2011. So it sounds like that
24 never really caught on, did it, "cleanup" as
25 opposed to "cleanout"?

1 MR. COX: Object to the form.

2 THE WITNESS: I just wrote down as they
3 told me.

4 BY MR. SWANSON:

5 Q. But when I first asked you about
6 "cleanout," you understood what I meant
7 immediately; right?

8 A. Yes.

9 Q. From those conversations?

10 A. Yes.

11 Q. And did they continue to -- did Johnson &
12 Johnson continue to call those kits "cleanout
13 communication kits," do you know?

14 A. I don't know.

15 MR. COX: Are we at a good point for a
16 short break?

17 MR. SWANSON: Sure. Yeah.

18 THE VIDEOGRAPHER: This marks the end of
19 Media Number 2 in the deposition of James
20 Mittenthal. We are going off the record at 11:46.

21 (Recess taken.)

22 THE VIDEOGRAPHER: On the record at
23 12:03 p.m. This marks the start of Media Number 3
24 in the deposition of James Mittenthal.

25 Counsel, you may continue.

1 (Whereupon, Plaintiff's Exhibit 30 was
2 marked for identification.)

3 BY MR. SWANSON:

4 Q. Mr. Mittenthal, I'm handing you Exhibit 30
5 and, Counsel, if you need to look at this, it's a
6 portion of a records retention schedule, it
7 appears to be.

8 Do you have that in front of you?

9 A. I do.

10 Q. So this is the Johnson & Johnson Consumer
11 records and information management records
12 retention schedule department records and
13 information management; right?

14 A. It appears to be.

15 Q. And this is -- is this the current one?

16 A. I don't know. I'm just looking at the
17 effective date, 14 May 2018, what it says on it.

18 Q. It's recent, it's not current, but you're
19 not sure if this is current; is that true?

20 A. I would have to confirm that.

21 Q. Okay. If you look at Page Number 2, do
22 you see there's a retention schedule for records
23 cleanup there?

24 A. Yes.

25 Q. And that would be -- that says for the

1 annual cleanup for Consumer U.S.

2 Do you see that?

3 A. Yes.

4 Q. "May include approval memos, cleanup kits
5 and/or housekeeping information"; right?

6 A. Yes.

7 Q. So that's -- that's the cleanout or
8 cleanup event that we were talking about before;
9 true? That's what that's referring to, the
10 records retention on the kits related to that?

11 MR. COX: Object to the form.

12 THE WITNESS: It appears to be so, yes.

13 BY MR. SWANSON:

14 Q. And so -- and the records retention on
15 that was how many years?

16 A. The time it's active plus ten years.

17 Q. So if there was a cleanout communication
18 kit as part of, let's say, the 2009 Version 1.1
19 policy that was being used, would "active" -- how
20 long would "active" be?

21 A. I don't know. I would want to consult the
22 definitions.

23 Q. Okay. So -- well, you don't believe that
24 in the WWRIM policy what is meant in this records
25 retention is defined by the term "active," do you?

1 A. I have seen somewhere here, on -- on
2 WWRIM, RIMS 12.

3 Q. Which exhibit is this?

4 A. This is -- the first version I grabbed was
5 Version 2.0.

6 Q. Okay. That's fine. Got it.

7 A. RIMS 12, page 2. And I may be able to
8 reference a later version that I was just looking
9 for a basic definition of "active."

10 Q. That's fine.

11 A. And it says, "Retain the record or
12 information while the document is active, in
13 force, or in use. Once the document is no longer
14 active, then the retention period starts and is
15 calculated."

16 Q. Good. So, in other words, the 2009 RIMS
17 got replaced by this 2011 one in January 2011. So
18 for the 2' -- those cleanout kits from the 2009
19 policy, they would be retained until 2021,
20 correct, according the that policy?

21 A. Yeah. I don't want to interpret what they
22 mean by the document being active. I don't know
23 how to interpret that against the cleanout
24 information. It may be that's the case.

25 Q. Okay. But at a minimum, it would be

1 10 years past the date of that policy; right?

2 A. Yes.

3 Q. Okay. That's all I have about that one.

4 Now, we had talked about how the cleanout
5 policy included various formats of records and
6 documentation; correct?

7 A. Yes.

8 Q. And -- "including hardcopy, all media
9 formats, electronic," that would include x-ray
10 imagery; true?

11 A. I don't know.

12 Q. Well, if there were -- if there were TEM
13 or SEM images on any of these media, that would be
14 a document included in the policy; right?

15 MR. COX: Object to the form.

16 THE WITNESS: I would want to look and
17 check the policy and see how they -- how they
18 define "document," if it includes that type of
19 media. I just don't know.

20 BY MR. SWANSON:

21 Q. Well, it says, "all media formats,
22 hardcopy and electronic, originals or copies, and
23 draft documents."

24 You're not thinking that this pertains
25 only to written words, are you?

1 A. No.

2 Q. Okay. So it would include images;
3 correct? It would include sound recordings on
4 those types of media?

5 MR. COX: Object to the form.

6 THE WITNESS: I'm going to double-check
7 the worldwide RIMS and see if there is a complete
8 definition of what they consider a record to be.

9 Okay. Actually, it's on the first page.
10 I'm once again looking at the 2.0 policy.

11 BY MR. SWANSON:

12 Q. Okay.

13 A. "The form of records and information
14 includes but is not limited to paper, electronic,
15 microfilm, microfiche, photograph, map, magnetic
16 or optical disk or tape, software or video, or
17 other recorded information."

18 Q. So that would include images?

19 A. I'm just checking the current -- the 5.0
20 version to see if that definition has changed. I
21 don't see a -- I checked the definition version of
22 4.0 and it appears to be similar.

23 Q. Okay.

24 A. I recognize that an x-ray is a media that
25 contains recorded information.

1 Q. This is an inclusive policy, because when
2 it says "any form of recorded information created,
3 maintained, or received by Johnson & Johnson," it
4 says those records and information include but are
5 not limited to. So this is an included -- this is
6 a very inclusive policy, correct, in terms of the
7 kinds of information that these cleanout days were
8 affecting?

9 MR. COX: Object to the form.

10 THE WITNESS: Yeah. I just note that
11 they -- that they inserted audiovisual material in
12 the later definition. Maybe some other changes,
13 too.

14 BY MR. SWANSON:

15 Q. But in Version 2.0, it said "microfilm,
16 microfiche, photographs," so that information was
17 included in there, too; correct?

18 A. Yes.

19 Q. Did you consult with Johnson & Johnson on
20 any of the changes that went into these various
21 WWRIM policies?

22 A. I have -- I believe in my notes from Karen
23 Skellington possibly there are some references to
24 some of the changes.

25 Q. Let me ask a different question. Were any

1 of -- were you -- did you give input on any
2 changes that were made in these policies before
3 they were made, or at the time they were made?

4 A. I did not.

5 Q. Now, you mentioned Karen Skellington. You
6 talked to her about the changes in the WWRIM; is
7 that right?

8 A. Some of the changes.

9 Q. Where is that in your notes?

10 A. Page 59 of your numbering.

11 Q. Can you point me to it?

12 A. Oh, sure. It's about 15 lines down.
13 There's a line by itself. "WWRIM assigns every op
14 code," and below that it starts, "18 standards put
15 out in 2009, now '17. Other guidelines existed
16 pre2009. Karen came in, in 2008 and worked to
17 consolidate, remove cleanup standard." Moving --
18 moving down the document of 5.0 is "current
19 version effective April '17." Some notes about
20 how the standards evolved, et cetera.

21 Q. Now, each of these standards subsequent to
22 1.0 has a revision history; is that right? If you
23 look within the first few pages, for example, you
24 know, you go to 3 or 4, you take Version 3, for
25 example.

1 Do you have that?

2 Which is marked as Exhibit 29.

3 And I think --

4 A. I do see "revision histories."

5 Q. And do you have the WWRIM policy Version 3
6 in front of you?

7 A. Yes, I do.

8 Q. And six pages in to that is a revision
9 history generally of this document; correct?

10 A. Well, the -- the top document. The actual
11 policy document as opposed to the standards
12 underneath it, yes.

13 Q. Now, what do you mean "as opposed to the
14 standards underneath it"? because the standards
15 underneath it include the RIMS 1 through how many
16 ever it goes to; correct?

17 A. Well, RIMS -- RIMS 1 is actually the
18 standard and then prior to RIMS 1 -- and I'm
19 looking at the 3.0 version that we're talking
20 about -- there is a policy, call it a preamble, or
21 an introductory section which is denoted as the
22 worldwide records and information management
23 policy. And then the things beneath that are
24 known as -- are denoted as standards.

25 Q. Okay. But so this -- but this history

1 that's given on the policy, it includes changes --
2 detail -- it's a -- would you agree that that's a
3 detailed accounting of what the changes were made
4 in terms of the language of the policy? If you
5 look at page 6 there again?

6 A. Yeah. I'm looking at it and it appears to
7 be changes just made to these first few pages
8 which constitute the policy. Then, within that,
9 each standard also has its own change history.

10 Q. And you see there in terms of this Version
11 3.0 of the WWRIM policy, it notes that the -- and
12 by this time, they were calling it the "cleanup
13 event," it says "retired RIMS 3."

14 Do you see that?

15 A. I'm sorry. What page are we on?

16 Q. We're page 6 still. And this is the WWRIM
17 policy December 31, 2013.

18 A. Yes, I see it.

19 Q. And is -- is this an accurate accounting
20 of the changes that are made in the policy from
21 one to the next?

22 MR. COX: Object to the form.

23 THE WITNESS: Yes. Inasmuch as now the
24 standards jump from RIMS 2 to RIMS 4.

25 BY MR. SWANSON:

1 Q. Okay. And the way that these histories
2 are written is that it's written with a lot of
3 detail; right? Going back to page 6, it says
4 "paragraph 2, removed sentence redundant tied with
5 paragraph 3." You know, above there it
6 says "where applicable change throughout
7 'employee' to 'associate.'"

8 These are very specific references to
9 where the changes are being made, specifically
10 what changes are being made in the policies as we
11 get to subsequent versions; right?

12 A. Yes.

13 Q. So in theory, we should be able to take a
14 subsequent version like Version 3 and if we didn't
15 have 2 and 1, reconstitute, rewrite from it the
16 prior version; correct?

17 MR. COX: Object to the form.

18 THE WITNESS: It would depend on the
19 nature of the changes. To the extent that they --
20 they were word level, you could back -- back your
21 way through it.

22 In this case, there appear to be -- I
23 mean, there were references and sentences removed
24 that might make it difficult to reconstitute it
25 completely. But the -- you could create a rough

1 facsimile of an earlier version.

2 BY MR. SWANSON:

3 Q. But it should -- it's supposed to be an
4 accurate accounting of what has been changed
5 version to version; correct?

6 A. Yes.

7 Q. And that accounting includes, you know,
8 everything that's changed from the beginning to
9 the current version; correct?

10 A. Yes.

11 Q. And so if you go to -- this was Version 3.
12 And we saw in Version 3 there was a reference,
13 right, at page 6 to the cleanup event that was
14 specified under RIMS Standard 3 in a previous
15 version having been suspended or removed; correct?

16 A. Yes.

17 Q. And, in fact, in this Version 3, it's --
18 if you thumb through it, you can see that there is
19 no RIMS Standard 3; correct?

20 A. Correct.

21 Q. And if you go to 4, Version 4, again, if
22 you go to the revision history, page 6, it has --
23 again it states how -- the revision history in the
24 same sort of way that it did under Number 3 and it
25 includes that reference to the cleanup event;

1 correct?

2 A. Yes.

3 Q. And it has a full history from Version 1.0
4 up to this current version stating what the
5 changes were; true?

6 A. Yes.

7 Q. And if you go to Version 5, which is
8 Exhibit 24, and you go to page, looks like 5
9 through 8 -- do you see that? -- is the revision
10 history?

11 A. Yes.

12 Q. And you see there were a lot of revisions
13 made from 4 to 5?

14 A. Yes.

15 Q. Is there a Version 6 or is this the latest
16 version, Number 5?

17 A. Well, I noted that when I spoke to Karen
18 Skellington she said that 5.0 is the current
19 version and that that was effective in April of
20 2017 which is what is reflected in this document
21 (indicating).

22 Q. Good. Now if we go to -- and you see the
23 changes are reflected for Number 4; right?

24 A. Yes.

25 Q. Now, if you go to Version Number 3 in its

1 version history, you see that?

2 A. Yes.

3 Q. Where is the reference to cleanout event?
4 Or cleanup event in this history?

5 A. I don't see it.

6 Q. So if all we had in front of us was this
7 Version 5, we wouldn't know about the cleanout
8 event, would we?

9 MR. COX: Object to the form.

10 THE WITNESS: Well, we certainly wouldn't
11 know about it from the revision history pertaining
12 to 3.0.

13 BY MR. SWANSON:

14 Q. Well, is -- well, if I've got a current
15 version in front of me and I've got this history
16 that's supposed to be a faithful history of these
17 changes, I don't know about this history of a
18 cleanout event, do I?

19 True?

20 A. I don't see it in the history.

21 Q. Okay. So -- so this is no longer an
22 accurate accounting -- the version history is no
23 longer an accurate accounting of the version
24 histories; true?

25 MR. COX: Object to the form.

1 BY MR. SWANSON:

2 Q. You have in front of you, it's not in the
3 version history; correct?

4 A. Right. I'm just checking to -- to
5 understand if the numbering of the standards is
6 still as it was before, and the document does go
7 from RIMS 2 to RIMS 4 with no RIMS 3. So there is
8 an artifact in the sense that that RIMS 3 is still
9 not represented.

10 Q. Right. It's gone, because it was gone
11 after Version 3 of the WWRIM; true?

12 A. Yes.

13 Q. And that's when -- and then the version
14 history, though, in Number 3 and 4 accurately
15 reflected that that section had been removed
16 because that event was no longer in force;
17 correct?

18 A. Correct.

19 Q. And in Version 5 of the history, that
20 disappears; right? It's not there; true?

21 A. I don't see it.

22 Q. Okay. So this version history has been
23 changed and it no longer accurately reflects what
24 happened; true?

25 A. It no longer reflects the -- in that area

1 in the revision history no longer reflects the
2 removal of the cleanout standard.

3 Q. And do you know who made the decision to
4 remove the reference to the cleanout days from the
5 Version Number 5 WWRIM Johnson & Johnson worldwide
6 policy?

7 It's not in your notes, is it?

8 A. I don't believe so.

9 Q. I didn't see it there.

10 A. I was just looking in my notes to
11 understand who -- who would have been a point
12 person at that point in time.

13 Q. Did the lawyers make that decision?

14 A. I don't know.

15 Q. Did you see -- going back to Version
16 Number 4 of the WWRIM policy, it says
17 "Exhibit 23." If you go to Page Number 6.

18 Do you have that in front of you?

19 A. Yes.

20 Q. It -- it states there that Johnson &
21 Johnson -- in the reference to the cleanup event
22 states that Johnson & Johnson has changed its
23 philosophy on annual cleanups; right?

24 A. Yes.

25 Q. So that reference to a change in

1 philosophy is now gone in Version 5; correct?

2 A. I don't see it.

3 Q. And that change in philosophy, do you have
4 an understanding of what that change in philosophy
5 was specifically?

6 A. Simply as -- as is stated in the notes,
7 "Associates shall independently manage their
8 records and information during the normal course
9 of business."

10 Q. Okay. Now, you know that -- I'm going to
11 switch gears a little here on you.

12 You know that there's an issue of exposure
13 in the Philippines in this case; correct?

14 A. Yes.

15 Q. In the Leavitt case. And of exposure in
16 Hong Kong in the Fong case; true?

17 A. Yes.

18 Q. And that -- are you aware that the talc
19 that was used for Johnson's Baby Powder that was
20 manufactured or packaged at those locations came
21 from Korea?

22 A. I'm -- I have a general awareness of that.

23 Q. Okay. Now, of the retention schedules --
24 I want to get back into the retention schedules
25 briefly here.

1 What is the earliest retention schedule
2 that has been produced to us that you're aware of
3 that affects Johnson & Johnson Philippines,
4 Johnson & Johnson Hong Kong, or the Asia Pacific?
5 Well, let me -- let me ask a foundational question
6 first.

7 Are those -- I noticed there was some
8 references in your notes to APAC, A-P-A-C. Does
9 that sound familiar to you? And I assumed that
10 that referred to Asian Pacific? Asia Pacific or
11 something like that?

12 A. I think -- I'd have to see it in context.

13 Q. Let me see if I can find a reference.

14 Oh, there's a reference here at page 3 of
15 your notes.

16 A. Your page 3?

17 Q. Yes. Right. That's correct. This is
18 again Exhibit 26.

19 A. So this is Tom Doyle and Judy Dowling?

20 Q. Yes. Do you see in the first paragraph
21 there, there's a reference to APAC?

22 A. Yes.

23 Q. And without having you read through the
24 rest of your notes right now, I'll just represent
25 to you there are other references where you use

1 that acronym, APAC.

2 What does that stand for?

3 A. I believe it's Asia Pacific, but I don't
4 recall --

5 Q. Okay. Let's --

6 A. -- confirming that.

7 Q. Sorry. Didn't mean to cut you off.

8 Can you turn to page 20. I see another
9 reference to it.

10 Do you see where you were speaking to an
11 individual named Nicholas Zhu?

12 A. Yes.

13 Q. And it says "responsible for APAC." Then
14 it says "Thailand, China, Philippines," et cetera;
15 correct?

16 A. Yes.

17 Q. So do you believe that refers something to
18 Asia Pacific; correct?

19 A. Yes.

20 Q. So let me ask you questions broadly about
21 any retention schedules or policies that would
22 have impacted -- been in effect in the
23 Philippines, in Hong Kong. Let's start with those
24 two and we'll probably include China, but that
25 might be more recent.

1 But so -- and Korea.

2 What was the first retention policies that
3 would have been in effect and controlled retention
4 of documents -- retention and disposition of
5 documents at Johnson & Johnson Philippines?

6 A. I don't know the year that that would have
7 been applicable, the first year.

8 Q. Do you -- was the 1997 policy, which is
9 the first policy that has been produced to us, the
10 oldest policy and the oldest one that you've seen,
11 according to your testimony, did that apply to
12 Johnson & Johnson Philippines?

13 A. I would have to confirm that.

14 Q. Okay. And before you go about -- and does
15 the policy itself say whether or not it affects
16 it, whether or not that policy is the policy for
17 the Philippines or the Asia Pacific, or whether
18 it's just domestic?

19 A. Yeah. The document itself does not have a
20 scope associated with it.

21 Q. So you don't -- you don't know whether or
22 not this records retention guideline schedule
23 applied to Asia Pacific, to Hong Kong, or the
24 Philippines; correct?

25 A. That's correct.

1 Q. Do you know if any of the records
2 retention schedules that Johnson & Johnson has
3 apply to Johnson & Johnson Philippines?

4 A. I would have to look at the scope of each
5 one. I don't know offhand.

6 Q. But there's nothing in this 1997 guideline
7 for records retention schedule that tells you what
8 applies broadly to all of their operating
9 companies; correct?

10 A. Correct.

11 Q. And I don't want you to guess, but would
12 you agree with me that the natural inference
13 looking at this is that it did not apply; correct?

14 MR. COX: Object to the form.

15 BY MR. SWANSON:

16 Q. Since it says Johnson & Johnson Consumer
17 Products Companies. I don't want you to
18 speculate. So. Okay.

19 And you can't tell me right now what the
20 first year is that there is a retention policy
21 that applies to the Philippines, to J&J China, or
22 J&J Hong Kong; true?

23 A. You know, I have a general knowledge from
24 talking to people at the company that there were
25 retention practices. I can't speak to the

1 specific schedules that apply.

2 Q. And we'll get into that in a minute.

3 So you're not sure if any of the retention
4 schedules apply, and if you have, you know,
5 information about that even after the break as to
6 whether these did or not, we can revisit it.

7 Now, when you say you have information
8 generally about retention practices, is this
9 something that's reflected in your notes?

10 A. Yes.

11 Q. And these are retention practices at which
12 locations?

13 A. It was not location-specific. It was
14 simply an indication of how long certain materials
15 were held.

16 Q. By whom? In other words, which operating
17 company are we talking about now? because I'm
18 obviously interested in asking right now, but just
19 about the Philippines, Hong Kong, China, Korea.

20 A. I would need to reference a couple of
21 pieces of my notes here.

22 Q. I don't know what page you're at, but if
23 you look at pages 20 and 21, there are references
24 to overseas operations. I don't know if that --
25 any of that helps you.

1 A. Yes. And I was looking at Don Hicks who
2 indicated that in 2009, a global specification was
3 created. I'm jumping now to page 20.

4 Q. Okay. Page 20. This is Don Hicks?

5 A. Well, this is now Nicholas Zhu --

6 Q. Wait. Let's go -- since you are the one
7 who raised the reference to Don Hicks --

8 A. Okay.

9 Q. -- what page of that, that were you
10 looking at specifically?

11 A. Oh, that was -- just lost it. Page 13.

12 Q. Okay. This is talking about a global talc
13 spec created in 2009; correct?

14 A. Yes.

15 Q. Okay. I'm asking about retention
16 policies.

17 A. Okay.

18 Q. So if you can locate the place in your
19 notes, if you have -- you haven't been specific as
20 to the Philippines or Hong Kong or Asia Pacific or
21 Korea, remember, my query is directed to finding
22 out what retention schedules; policies with
23 respect to retaining documents; destroying,
24 disposing of documents, as to those areas. That's
25 what I'm looking for.

1 A. Right. Okay.

2 Q. And if you find information that, that you
3 have as a representative of Johnson & Johnson,
4 tell me.

5 MR. SWANSON: While he's doing that, let's
6 go off the transcript record briefly, and I'm
7 going to go check on something and you keep
8 looking.

9 MR. COX: Let's go off the record
10 entirely.

11 MR. SWANSON: What's that?

12 MR. COX: Let's go off the video record,
13 too.

14 MR. SWANSON: Why? I mean, I'm going to
15 be back in two seconds. I mean, we don't need to
16 do that whole thing of getting off it. I'll be
17 back in two seconds. I want him to have time to
18 look through that.

19 (Off the stenographic record.)

20 MR. SWANSON: Back on the record.

21 BY MR. SWANSON:

22 Q. Have you located some information about
23 retention policies or retention guidelines that
24 would have been in effect -- or practices in
25 effect in the Philippines, Korea, China, or Hong

1 Kong?

2 A. Well, I spoke to -- this is on page 42. I
3 have a reference to a conversation with Uday
4 Sharan who was a sourcing manager who was based in
5 the -- in that region, and he was specifically
6 talking about Thailand, but he indicated that
7 the -- from his perspective, they kept documents
8 for -- and he was talking about the manufacturing
9 records, that the retention on those was five
10 years. I don't -- I have not yet found other
11 references to any retention schedules for those
12 particular regions.

13 Q. Now, you knew coming in to this deposition
14 as -- you knew -- you knew that your assignment
15 here, part of it, was to talk about retention
16 schedules; right?

17 A. Yes.

18 Q. And so as a representative for Johnson &
19 Johnson sitting here today, knowing that this was
20 part of the assignment and knowing that these
21 areas of the world and their retention policies
22 were relevant to the case, you don't have any
23 information to provide today; correct?

24 MR. COX: Object to the characterization.
25 Object to the form of the question.

1 THE WITNESS: What I do know is that there
2 were retention schedules in those regions, the
3 retention practices and/or schedules; that there
4 was information saved for periods of time. For
5 example, Don Hicks indicated that the -- and Uday
6 indicated that those materials were saved five
7 years plus one, six years.

8 I have an understanding that information
9 in those regions that was stored in the United
10 States was subject to the retention schedules that
11 we've already discussed.

12 I have also the understanding that
13 those -- there are physical files in those regions
14 of the world that were consulted and searched for
15 materials, and that there were materials that were
16 stored off site there were consulted.

17 I don't have the particular retention
18 schedule that they were responsive to, but I
19 understand that there was a practice for
20 maintaining information in those regions.

21 BY MR. SWANSON:

22 Q. Specifically as to the Philippines, do you
23 know if there's ever been a formal retention
24 schedule for documents archived, retained, kept,
25 generated at J&J Philippines?

1 A. I don't know at this moment.

2 Q. And do you know if there has ever been a
3 formal policy for J&J Hong Kong for the retention,
4 archiving of documents?

5 A. I would -- once again, I don't know, and
6 it may be that the schedules I have apply to --
7 the current schedules apply to that time period.
8 I just don't know.

9 Q. I understand.

10 A. I'm sorry, applied to that --

11 Q. You say maybe.

12 A. I --

13 Q. You say maybe --

14 A. Let me correct what I said. Not applied
15 to that time period. Applied to that region. I
16 misspoke.

17 Q. Now, just briefly, this reference you made
18 to Uday Sharan, that's for Thailand; right?

19 A. Yes.

20 Q. He's not talking about the Philippines.

21 A. I understand that.

22 Q. Right. And he's not talking about Hong
23 Kong; correct? And -- right?

24 A. Correct.

25 Q. And the source of that talc was European

1 talc, correct, not Korean talc?

2 A. He was speaking to the retention of
3 materials in Thailand, and I drew from my
4 understanding of my conversation with him that
5 those materials, there were retention practices in
6 that area and in the Asia Pacific region.

7 MR. SWANSON: Move to strike.
8 Nonresponsive.

9 I think that's a good time to break for
10 lunch.

11 Let's go off the record.

12 THE VIDEOGRAPHER: Off the record.

13 Time is now 12:52 p.m.

14 (Lunch break taken.)

15 THE VIDEOGRAPHER: On the record at
16 1:55 p.m. Counsel, you may continue.

17 MR. CARPENTER: Counsel, can I make that
18 quick --

19 MR. SWANSON: Sure.

20 MR. CARPENTER: This is Erin Carpenter. I
21 failed earlier when I was putting my appearance on
22 the record to also indicate that I am here -- I'm
23 specially appearing on behalf of Imerys U.S.A.,
24 Inc. That's it. Thank you.

25 BY MR. SWANSON:

1 Q. Good afternoon, Mr. Mittenthal. We're
2 back on the record after the lunch break.

3 A. Good afternoon.

4 Q. I was asking you about retention policies,
5 schedules, procedures that apply to the Asia
6 Pacific or to the Philippines, Hong Kong, China,
7 and I'd asked you about the policies that have
8 been produced in this case going back to 1997 and
9 you weren't sure which of any of those policies
10 applied to J&J's operating companies in those
11 regions and countries; correct?

12 A. Correct.

13 Q. Have you -- have you looked at any of
14 those policies since we were discussing that
15 earlier?

16 A. I've determined that I will -- I'm not
17 able to ascertain based on what I have at my
18 disposal right now.

19 Q. And, based on your conversations with
20 various folks that are reflected in your notes or
21 any subsequent conversations you have, other than
22 what we've already discussed, you're not -- well,
23 strike that.

24 We've discussed what you had in your notes
25 with respect to any retentions over -- overseas;

1 correct?

2 A. Generally, yes.

3 Q. And you're not -- then just to kind of
4 close the loop, you're not aware of what, if any,
5 retention policies were in effect at the J&J
6 Philippines; correct?

7 A. Correct.

8 Q. And you're not aware of any retention
9 schedule that was in effect at J&J Hong Kong;
10 correct?

11 A. Correct.

12 Q. Are you familiar with worldwide talc
13 surveys? Did you hear anything about that?

14 A. I have an understanding of that, yes.

15 Q. Other than the survey documents themselves
16 that were produced -- and there were a few of
17 those produced -- do you have any information
18 about retention for documents related to Korean
19 talc that was used in Johnson's Baby Powder in
20 Hong Kong and the Philippines?

21 A. I don't, no.

22 Q. What is the current retention schedule
23 for -- and this may include different types of
24 documents, but for documents related to the
25 testing of talc for mineral contaminants like

1 asbestos?

2 A. Well, I would have to consult the -- the
3 schedule.

4 Q. Why don't you go ahead and do that. In
5 fact -- well, before you consult the schedule,
6 because obviously I want to be -- I want us to be
7 as efficient as we can be with our time -- have
8 you seen something in the retention schedules that
9 you believe applies to analytical testing reports
10 that would be reports or, for example, the actual
11 films or digital images from microscopy or the
12 images or charts that would come from, I think,
13 EDS or, you know, spectrographs, that sort of
14 thing?

15 A. I don't recall with specificity. I have
16 seen in the departmental schedules references to
17 testing. I've seen references to testing in
18 supplier agreements and I've seen references to
19 testing in legal hold notices.

20 Q. Would you know where to look in the
21 retention policies for something like that? Would
22 it be under R&D?

23 A. Well, I -- because the schedules are
24 departmental in scope, I would look under R&D. I
25 would look under manufacturing. I might look

1 under quality. There's a couple places where I
2 might look.

3 Q. Okay. I'd like to find out what the
4 retention on these testing documents was as of
5 1997. And then if we need to talk about it
6 currently, I want to know what the retention on
7 that would be. And to be clear, what I'm looking
8 for is testing-related documents on both finished
9 product and on the cosmetic talc products and also
10 on talc ore. And milled -- milled ore also, just
11 to be clear.

12 I don't know if this helps you. But at
13 page 190 of the 1997 policy, there's a reference
14 to manufacturing and material analyst reports. I
15 mean...

16 A. Yeah. I just about caught up to you, I
17 was on 188.

18 Q. Okay.

19 A. I mean, I'm not an expert on the testing
20 process. I see -- I'm just looking for the
21 word "test."

22 I see, for instance, test cases on 188. I
23 don't know if that applies or not. I'm going
24 to -- I guess from there, I see material analysis
25 reports as you mentioned.

1 I'm looking under -- I'm now up to
2 "quality," page 221. And I see an entry called
3 "analytical chemistry testing finished product
4 devices."

5 Q. I'm sorry. Where is that again?

6 A. The top of 221. Once again, I don't know.
7 I'm not an expert on the testing process. I don't
8 know if that applies. I'm just looking for places
9 where the word "testing" appears in relevant
10 categories.

11 Q. And what's the minimum retention for --
12 well, first of all, let's go back, and I should
13 have asked you as you were going here. We talked
14 about material analyst analysis reports.

15 What's the minimum retention for those as
16 of 1997?

17 A. I think that was LP, if I remember
18 correctly. That was page 188.

19 Q. 190.

20 A. Oh, I was on 188. Yeah, 190. LP plus 6.

21 Q. What does that mean?

22 A. Life of the product. In other words, the
23 expected life of the product in the marketplace
24 plus six years.

25 Q. Does that mean like shelf life?

1 A. I don't know if it equates to shelf life.

2 It may.

3 Q. What else would it equate or would it
4 reference life of the product as in its baby
5 powder, and baby powder is going to continue to be
6 around, so essentially it would always be under
7 retention. See what I'm saying?

8 A. Actually, I don't. I'm sorry.

9 Q. Well, life of the product. I mean,
10 there's a life of a product, the period of time
11 during which a company manufactures a given
12 product; right?

13 A. Oh, yes.

14 Q. You know, under various specifications or
15 particular specification and it's a product like
16 Johnson's Baby Powder. I mean, that could be
17 called "life of the product"; right?

18 A. Yes. You're right.

19 Q. But life of product here under "material
20 analyst reports," you're not sure what that means
21 in that context? I mean, is that shelf life? Is
22 it something more than shelf life? Is it, you
23 know, how long they've been -- they are going to
24 manufacture Johnson's Baby Powder?

25 A. Yes. And I -- you know, I don't think I

1 want to interpret that without a little bit more
2 research.

3 Q. So I know there's a lot of questions here
4 today. But you were aware that these were central
5 issues about testing in these cases, right, in
6 talc testing, correct?

7 MR. COX: Object to the form of the
8 question. Object to the characterization that
9 this is a central issue or that a lot of the
10 questions today regard central issues in the
11 deposition notice or this case -- these cases.

12 THE WITNESS: I was aware that the -- one
13 of the noticed topics had to do with retention.

14 BY MR. SWANSON:

15 Q. And you also, though, know that in these
16 cases, even though you're not an expert on
17 testing, that testing and test results and the
18 retention of those testing is an important issue
19 to these cases; correct? The talc testing I'm
20 referring to.

21 A. Well, I wouldn't want to give an opinion,
22 but I understand that it has been raised as an
23 issue.

24 Q. So. And you understood that as a
25 spokesperson for Johnson & Johnson, you were to be

1 prepared to speak on these issues, correct,
2 because we've asked about them?

3 MR. COX: Object to the form.

4 THE WITNESS: I understand that the
5 retention of documentation is a topic and that I
6 am prepared to speak on that.

7 BY MR. SWANSON:

8 Q. Okay. But, as you sit here right now,
9 you're not prepared to tell me what in 1997 life
10 of the product meant as to these material analyst
11 reports; correct?

12 A. That's right.

13 Q. Can you point -- and if we go to -- I
14 think you referenced 221 of this 1997 retention
15 schedule, "analytical chemistry testing finished
16 product devices"?

17 A. Yes. And, once again, I'm not an expert.
18 I don't know if that even applies, but I noted the
19 word "testing" was -- was in there.

20 Q. Okay. But you don't even know if that
21 applies to talc, do you?

22 A. Correct.

23 Q. Going three down, you see where it says
24 "analytical reports and requests"?

25 A. Yes.

1 Q. On page 221. What does that refer to?

2 A. I can only speak to it's -- it's plain
3 English. I don't -- I'm not here to interpret
4 what that means.

5 Q. I don't want to waste time going through
6 each of the policies like this.

7 Are you prepared, as you sit here today,
8 to talk about specifically what the retention
9 schedule is and the retention period for testing
10 reports?

11 A. Well, as I mentioned, I'm not specifically
12 able to sit here and say LP is identical to shelf
13 life or make that assessment. What I can say is
14 that I -- in addition to gathering the schedules,
15 I interviewed people. I spoke to, for instance,
16 Don Hicks, and Mr. Hicks gave a -- an appraisal
17 that -- of testing, quality testing for talc that
18 it was used in conjunction with the manufacturing
19 process, that it's -- retention of those materials
20 is tied to the expected shelf life of the product.
21 Now, it may be the shelf life of the product plus
22 a year; it may be double the shelf life of the
23 product. It has changed over time, but I have a
24 general understanding from Mr. Hicks that testing
25 materials are generally held at least the expected

1 shelf life of the product plus some additional
2 amount of time.

3 Q. And how long is the shelf life of
4 Johnson's Baby Powder?

5 A. Well, I'm going to just refer to my
6 discussion with Mr. Hicks. And that's at the top
7 of -- I'm sorry. I'm on the marked copy. Let me
8 pull that out. I can find it. Here it is. So
9 now I'm looking at page 12. And the third,
10 fourth, fifth lines down. "Testing" -- "test,
11 manufacturing, inventory, shipping records tend to
12 be kept for a shorter period per schedule times to
13 when the product would be in the marketplace,
14 generally about six years."

15 Q. Okay. So that's not quite shelf life,
16 then. That's something longer than shelf life?

17 A. Once again, I -- I'm not an expert in
18 interpreting what shelf life is or how long the
19 product would be in the marketplace. I'm just --
20 I basically tried to gather that information from
21 Mr. Hicks as best as I could.

22 Q. If you look at page 37 of your notes.

23 A. Yes.

24 Q. And this was from your discussion with
25 Rosina Bruno-Sheerin.

1 A. Yes.

2 Q. Well, first of all, before I get there,
3 and I apologize. Don Hicks, those records --
4 testing, manufacturing -- what kind of testing are
5 we talking about and where?

6 A. I interpreted his comment to be those
7 testing records that accompany batches or lots in
8 the manufacturing process, such as certificates of
9 analysis.

10 Q. And those certificates of analysis, were
11 those something that were being generated by
12 Johnson & Johnson or that came with the talc that
13 came in?

14 MR. COX: Object to the form.

15 BY MR. SWANSON:

16 Q. Let me -- let me start that over again.
17 What was included in the certificate of analysis?
18 Did that include whether or not -- was there --
19 did that include a test for asbestos?

20 A. I'm not an expert on the testing process.
21 I have a general understanding that there were --
22 there was testing done for asbestos. The best
23 summary of the testing records I have is from Mark
24 Zappa on page 19.

25 Q. But specifically what were they testing?

1 Now, Don Hicks was at the North Brunswick
2 location, the manufacturing location; is that
3 right?

4 A. I know he had various responsibilities.
5 He was at one point in North Brunswick. I really
6 don't know. I think he was at various locations.
7 But he had -- you know, in the -- during the
8 2000s, he had a responsibility for quality issues
9 related to talc manufacturing.

10 Q. So the records he was referring -- those
11 testing records, you think it includes
12 certificates of analysis?

13 A. Well, this is where I come to the
14 follow-on conversation with Mr. Zappa on page 19.

15 Q. Okay. You said 19?

16 A. Yes.

17 Q. All right.

18 A. And this is under "follow-up."

19 Q. Got it.

20 A. And in this conversation, I sought to
21 determine the flow of documentation through the --
22 through the life cycle so that there is testing
23 done at the mine level. There is testing done
24 when the -- when the material goes to Imerys,
25 there is a -- the certificate of analysis is

1 transferred. There is testing that is done by
2 Imerys itself. And then another C of A is
3 created. I mean, I'm just basically reading from
4 it. But then from Imerys to Pharma Tech, there
5 are C of As sent and then additional testing done.

6 Q. Okay.

7 A. So there's -- that's kind of the flow of
8 testing documentation.

9 Q. And so the mine -- and that would be prior
10 to -- well, that would be the Vermont mines;
11 right?

12 MR. COX: Object to the form.

13 THE WITNESS: Yeah. Once again, I mean,
14 I'm not...

15 MR. CARPENTER: I'll join in that last
16 objection. Also state lacks foundation.

17 BY MR. SWANSON:

18 Q. I'm sorry?

19 A. Yeah, I'm just going to say, I'm not an
20 expert on which mines were in use at which point.

21 Q. So this certificate -- now, the mine did
22 its own testing. It says that; right?

23 Now, Johnson & Johnson would get that
24 certificate of analysis regarding that testing; is
25 that right?

1 A. Well --

2 MR. COX: Object to the form. Beyond the
3 scope of the notice.

4 Go ahead.

5 THE WITNESS: Just going through the
6 workflow that Mr. Zappa established, the mine
7 would create a C of A which then is forwarded.

8 BY MR. SWANSON:

9 Q. Let me try to cut to the chase on this
10 stuff.

11 Is it true that you don't know
12 specifically whether these tests that are
13 reflected there were tests for asbestos content?

14 A. My general understanding is that the --
15 the tests did involve asbestos testing. The
16 appearance and odor and fineness testing may not
17 have included asbestos testing, but the -- my
18 general understanding -- and once again, I'm not
19 here to speak on anything but my general
20 understanding of the testing process, but those --
21 those initial tests did include asbestos testing.

22 Q. And what was the retention on those; do
23 you know?

24 A. Well, that goes back to -- to Mr. Hicks's
25 comment to the applicable items in the retention

1 schedule. But it's going to be associated with
2 the batch and lot six to seven years, and then
3 there would also be a notation on that in the
4 supplier agreement with PTI as to the retention
5 period there.

6 Q. Now, if you go to page 37 -- this is
7 Rosina Bruno-Sheerin.

8 Do you see that?

9 A. Yes.

10 Q. The second page of the notes about what
11 she told you. It refers to R&D records being kept
12 long-term.

13 Do you see that?

14 A. Yes.

15 Q. "Permanent or life of the product plus N
16 years"?

17 A. Yes.

18 Q. What does "life of product" mean in that
19 context?

20 A. It would appear she was talking about how
21 long the product was being made.

22 MR. SWANSON: I'm sorry, can I have that
23 read back, please.

24 (Record read by the court reporter.)

25 BY MR. SWANSON:

1 Q. So if she's referring to how long the
2 product is being made, in other words, like
3 Johnson's Baby Powder?

4 A. Yes.

5 Q. Not shelf life or anything like that;
6 right?

7 A. Well, based on her comment about
8 "permanent," I would say no.

9 Q. So but in the context of the retention
10 schedule we looked at, we were -- we saw life of
11 product plus 6, correct, for testing, that the
12 manufacturing material analyst -- analysis
13 reports?

14 Do you see that?

15 A. Yes, I did. That's on 190.

16 Q. So wouldn't that indicate that -- that
17 what Don Hicks told you, doesn't that indicate
18 they weren't at that facility following the
19 retention policy, he said, shelf life plus
20 6 years, that's what that meant?

21 MR. COX: Object -- object to the form of
22 the question.

23 THE WITNESS: Well, I believe you had
24 guided me to the material analysis reports, that
25 section, and I don't know -- I don't know enough

1 about what material analysis reports are to
2 determine if they are associated with a batch or
3 if there's some other type of -- I mean, I'm
4 reading the text below it, and I see that they --
5 they talk about DMR and DHR; device master record,
6 device history record. Based on that, I'm not
7 sure that this section applies to lots of batches.
8 I just don't know what material analysis reports
9 are.

10 BY MR. SWANSON:

11 Q. Right. So, I mean, this kind of runs up
12 against the problem I raised earlier, which is
13 that you're here to speak on behalf of Johnson &
14 Johnson. I'm trying to get this information from
15 you and it seems to me like we're kind of guessing
16 about what the proper retention schedule was. I
17 mean, if Don Hicks told you it was shelf life plus
18 6 years in manufacturing but it was actually
19 something different and required to be different,
20 that's something we want to know about, and I
21 can't get from you what the formal policies were
22 with respect to retention of testing results
23 and -- and not only testing results but the
24 testing documents themselves: things like TEM
25 images, x-ray diffraction, EDSS, that sort of

1 thing.

2 So who is it we should be talking to, to
3 get this information about what Johnson &
4 Johnson's policies are and have been with respect
5 to retention of testing records?

6 MR. COX: Object to the form of the
7 question. Object to the extent that this line of
8 questioning goes beyond the scope of the notice
9 insofar as you're asking Mr. Mittenthal to give
10 testimony about testing. He's not the corporate
11 representative regarding different types of
12 testing that was done by Johnson & Johnson or
13 Johnson & Johnson Consumer, Inc.

14 MR. SWANSON: Counsel, what I'm trying to
15 get at is -- I'm trying to get at what the
16 retention schedules were and how long documents
17 were supposed to be kept and whether or not there
18 was an actual retention schedule as to any kind of
19 testing reports to do with talc or milled talc,
20 finished cosmetic talc products. And that's what
21 is at issue in this case.

22 BY MR. SWANSON:

23 Q. And so, Mr. Mittenthal, let me ask you
24 again, who is it that I should be talking to, to
25 find this out?

1 A. Well, I learned it from Don Hicks and from
2 others in my notes. I did not go out and take
3 every interval described by Mr. Hicks and tie it
4 back to every version of a retention schedule.
5 I -- it would certainly be something that could be
6 done. I did not do that step as part of my
7 preparation. I did not view it as within my scope
8 of preparation. There -- the -- I would expect
9 that the retention schedules would be reflective
10 of the comments that Mr. Hicks and others made to
11 me.

12 MR. SWANSON: Move to strike that last
13 sentence as being speculative.

14 BY MR. SWANSON:

15 Q. Does Johnson & Johnson have a formal
16 retention policy as to retention of talc? And
17 when I say "talc," I mean milled and talc ore
18 testing results today?

19 A. Yes. My understanding is that it does,
20 and I would look to the schedules, I would look to
21 the supplier agreements to determine that.

22 Q. But you can't tell us what those retention
23 periods are; correct?

24 A. Well, we were looking at the '97 schedule.
25 I believe I can find it in the quality agreement.

1 Q. Okay. And where -- can you point me to
2 the quality agreement?

3 A. So this is Exhibit 1. The quality
4 agreements are provided under Tab 2D.

5 So I have -- on the first quality system,
6 there's two different sets of numbers. The top
7 says "9 of 16"; the lower one says "11 of 19."

8 Q. Can you direct me to where you're at
9 specifically?

10 A. Yeah.

11 Q. This is 2D, Exhibit 2D?

12 A. Yes. 2D. That's right. And it's the --

13 MR. COX: How many pages?

14 THE WITNESS: Well, it appears to be nine
15 pages in.

16 BY MR. SWANSON:

17 Q. These are --

18 A. I don't know why there's two sets of page
19 numbers, but there's...

20 Q. Is this under "validation"?

21 A. I'm looking under 17.0, that section
22 called "records."

23 Q. Oh, is this -- oh, yours aren't tabbed
24 that way.

25 Sorry, did you say "inspection measures

1 and tests"?

2 A. 17.0. "Records." Under the first quality
3 system procedure which is Exhibit 2D.

4 Q. Okay. I think I've got it. Yeah.

5 So what does that say about retention of
6 testing results?

7 A. It says, "All documentation, including
8 manufacturing records, packaging records,
9 inspection records, QA records, batch tickets,
10 cards records, et cetera, during the manufacturing
11 process shall be maintained by PTI for six years
12 from the date of manufacture."

13 Then it goes on to say, "The validation
14 records are to be kept by PTI as long as the
15 product is manufactured until the last batch of
16 any discontinued product has expired."

17 Q. Just to be clear for the record, Pharma
18 Tech Industries, PTI, was -- did the packaging of
19 the manufacturing powder -- packaging of Johnson's
20 Baby Powder for Johnson & Johnson; is that right?

21 A. That's my understanding.

22 Q. And where it says "records," and it says
23 "six years," I notice "manufacturing records,
24 packaging." Does it list testing?

25 A. It doesn't say testing per se, but it

1 speaks of testing in the sections that describe
2 documentation prior to that. Sections 8, 9, 10.

3 Q. So PTI --

4 A. 13.

5 Q. I'm sorry. PTI started manufacturing in
6 2004 or '5, around there; right?

7 A. I need to check my notes on that.

8 So I show that in 2004 was the sale of the
9 Royston plant to PTI.

10 Q. And do you know what the records retention
11 was for Royston prior to that, if it had one?

12 A. Once again, I would be looking through
13 these schedules to make that determination.

14 Q. Do you have a table of contents?

15 A. I'm going to see if there's a schedule
16 closer to -- I'm sorry. Is that -- is this my
17 pile here or that's? Not my pile.

18 Q. Any of those are ones you can -- those are
19 all marked as exhibits, so.

20 A. Okay. So I found one in my pile that's
21 2002. So that would be closer to the sale to PTI.

22 Q. And what is that marked as? What's the
23 exhibit number, I mean? Exhibit number?

24 A. Oh, I'm sorry. It's 12.

25 Q. Thank you.

1 A. And I do note that there are additional
2 definitions at the bottom of the schedule.

3 Q. Okay. And you're looking at a 2002
4 records retention schedule of Johnson & Johnson
5 Consumer and Personal Care companies; correct?

6 A. Yes.

7 Q. And is there something in here -- I had
8 asked you about Royston or whoever was doing the
9 manufacturing prior to PTI, but is there something
10 in this record schedule from 2002 that you see
11 with respect to a retention policy and testing of
12 talc finished product or talc ore or milled talc?

13 A. I'm looking for it. It's --

14 Q. Did you find anything?

15 A. I mean, this is also -- half the pages are
16 flipped, so I'm -- I would expect that there
17 should be a section in here that would relate to
18 batch record retention. I'm not finding it right
19 now. I could continue to search on the break.

20 Q. Okay. Batch record retention. I'm
21 specifically asking about any kind of testing of
22 the finished product and of the talc that went
23 into the finished product. So that could be a
24 research and development document of the research
25 department or it could be the manufacturing

1 department.

2 You understand that; right?

3 A. Yes.

4 Q. Okay. So that's what you're looking for.

5 A. Well, once again, I can try to match up
6 the comments from Mr. Hicks and others to specific
7 provisions of the schedule. I certainly would not
8 say I'm qualified without exception to determine
9 every place in the retention schedule that's
10 responsive to that question. I can -- I can look
11 for the word "testing" and make those
12 determinations, but I can't speak to an
13 interpretation of every category of the schedule.

14 MR. SWANSON: Move to strike as
15 nonresponsive.

16 BY MR. SWANSON:

17 Q. Okay. So whatever information that you
18 have about the retention of testing reports or
19 things associated with testing is in your notes;
20 is that what you're saying?

21 MR. COX: Object to the form.

22 THE WITNESS: My notes would be the
23 primary source of my knowledge of that
24 information.

25 BY MR. SWANSON:

1 Q. Do you know what the retention was on
2 transmission electron microscopy grids that were
3 created in testing Johnson's Baby Powder or in the
4 talc ore or milled talc for asbestos content at
5 any time?

6 MR. COX: Object to the form.

7 THE WITNESS: No, I don't know that.

8 BY MR. SWANSON:

9 Q. Do you know what the retention was on
10 transmission electron microscopy images of testing
11 of talc ore, milled talc, or cosmetic talc
12 finished product at any time by Johnson & Johnson?

13 MR. COX: Object to the form.

14 THE WITNESS: Unless those have other
15 common terms that I'm familiar with, I don't --
16 I'm not familiar with those terms.

17 BY MR. SWANSON:

18 Q. Do you know the retention schedule for
19 those?

20 A. I'm not familiar with those -- those --
21 those categories, so I would not --

22 Q. They would be images taken from testing --
23 photomicrographs from testing. They might be
24 included in a testing report.

25 A. Would they be associated with

1 manufacturing? Would they be associated with
2 audits? Would they be associated with other steps
3 of the process? I would -- if -- if, for
4 instance, they were associated with the
5 manufacturing process, Mr. Hicks has an answer for
6 that, that I elicited. If they are associated
7 with audits, there was an answer for that, that I
8 elicited.

9 Q. What testing was done -- what do you mean
10 by "audits" in -- with respect to testing of talc
11 for the presence of asbestos?

12 A. My understanding is that a third party, RJ
13 Lee and potentially other organizations, was
14 contracted to perform quarterly testing of talc.
15 That would have included a range of testing
16 activities. That would have been -- those test
17 results would have been captured and saved
18 separate and apart from any ongoing manufacturing
19 process and preserved.

20 Q. Okay. And where is that information
21 either in the -- in the retention policy, if you
22 know?

23 A. Yeah. As I did note, just flipping
24 through it, there were some categories called
25 "audits," but I have not undertaken to tie

1 Mr. Hicks or Mr. Zappa or other people's comments
2 to specific sections of the schedule.

3 Q. Now, with respect to your notes, who did
4 you speak to regarding the testing that was done
5 by outside laboratories, what you called "audit
6 testing"?

7 A. I did speak to Mr. Hicks about that. I
8 spoke to members of the supplier quality team.
9 That included -- get my table of contents.

10 So amongst the people I spoke to in that
11 regard were David Allen, Don Hicks, Lisa Kaiser,
12 Mark Zappa, Nicholas Zhu, Pankaj Verma, and Sean
13 Park. Lorena Telofski may have mentioned it as
14 well. I would then look through those people's
15 notes to see who specifically referenced it. But
16 those were the -- those were the people in the
17 supplier quality area that I spoke to.

18 Q. And what was -- was there a formal --
19 did -- well, let me start this way: When was
20 the -- from what you gathered, first of all,
21 generally speaking, what was your understanding of
22 Johnson & Johnson's retention policies on talc
23 testing by third parties that were hired by
24 Johnson & Johnson to do these quarterly tests or
25 audits?

1 A. My understanding is that those were
2 considered part of a system of record. They were
3 stored in a system called "TrackWise" and also in
4 a system called "Microsoft SharePoint" and subject
5 to indefinite retention.

6 Q. And where is that in your notes?

7 A. Well, there is a -- there were pieces of
8 it in different parts of my notes.

9 So, for instance, the RJ Lee testing was
10 on page 14 of my Don Hicks discussion.

11 Q. Okay. Are you talking about this
12 quarterly global testing in 2009?

13 A. Yes.

14 Q. Okay.

15 A. Then on page --

16 Q. Hold on a second, since we're talking
17 about that. So it says here that "start tested
18 quarterly global testing 2009" -- "started
19 quarterly" testing in 2009. And then in
20 parentheses, "also tested at an earlier time."

21 And it said that Don requested 500-gram
22 samples from every manufacturing site.

23 And this you understand to be as of 2009?

24 MR. COX: Object to the form.

25 THE WITNESS: The -- the context was for

1 the quarterly global testing, yes.

2 BY MR. SWANSON:

3 Q. And then it says -- then he sent to RJ
4 Lee. "Did not retain anything."

5 You mean Don Hicks didn't retain anything;
6 is that what that means?

7 A. Correct.

8 Q. And what did you ask him that elicited
9 that answer that he didn't retain anything? What
10 was that in reference to? That he didn't have a
11 record of it?

12 A. No, not the records. It was whether he
13 maintained any elements of the samples themselves.

14 Q. And what did he do with whatever remainder
15 of the sample that he didn't send to RJ Lee?

16 MR. COX: Object to the form.
17 Mischaracterizes the testimony just given.

18 THE WITNESS: My understanding is that he
19 requested 500-gram samples and he sent them along
20 500-gram samples to RJ Lee.

21 BY MR. SWANSON:

22 Q. What's the next reference you were
23 referring to in terms of this quarterly testing,
24 because this doesn't say anything about how long
25 the testing results or the documents about the

1 testing should be retained; correct?

2 A. Correct.

3 Q. Where is the next one?

4 A. Page 18, which is the Mark Zappa
5 discussion and that is about -- about 18 lines
6 from the bottom.

7 Q. I'm sorry. Where?

8 A. 18 lines from the bottom of page 18.

9 Q. And what are you looking at?

10 A. "Quarterly mine results also scanned into
11 SharePoint. Dedicated talc SharePoint site
12 includes testing. Don kept records in physical
13 binder until he left and then it was migrated to
14 SharePoint until 2014. No additional steps needed
15 to conform to legal hold. Already hold
16 everything."

17 Then it notes the mine assessment may
18 routinely come through email, and the -- also
19 notes that the supplier tests were managed in the
20 TrackWise system.

21 Q. It says that this -- well, first of all,
22 Don kept records in a physical binder.

23 Do you have any idea how far back those
24 records went, without guessing?

25 A. I can only note that he -- his involvement

1 with manufacturing quality started in 2001.

2 Q. Don Hicks' did?

3 A. Yes.

4 Q. And do you know whether or not that
5 binder -- do you know if that binder contained the
6 testing results? It just says "kept records." I
7 know there's some discussion about testing, but
8 I'm trying to figure out if Don kept records in
9 physical binders, what specific records was he
10 keeping in a physical binder?

11 A. I interpreted that, the conversation, to
12 be regarding the testing results, the quarterly
13 test results. That was my understanding.

14 Q. And did you ask -- I mean, I'm looking at
15 your notes here of Hicks and Zappa, and when you
16 were asking people who were responsible for
17 records and information management, you were
18 asking all about hold periods, holds and retention
19 periods, and the policies from what we've seen in
20 the notes. But I see here -- I don't see you
21 asking either of these people, Mark or Don, why --
22 or what their understanding was of the retention
23 schedule or any holds at the time.

24 In other words, did you ask them, well,
25 what was the policy -- what was the -- what was

1 the company policy on holds? What policy were you
2 following on retention schedules for any of these
3 records that you were generating or receiving?

4 MR. COX: Object to the form of the
5 question.

6 THE WITNESS: Well, I would disagree in
7 part in the sense that in the page 18 discussion
8 with Mr. Zappa, he indicated no additional steps
9 needed to conform to legal hold. They were
10 already holding everything going forward.

11 BY MR. SWANSON:

12 Q. Well, specifically what did you ask him
13 about? What did he say other than -- what did you
14 ask about legal holds?

15 A. I asked if the system had any provision or
16 capability to enable a legal hold of those
17 materials.

18 Q. And those materials, again, you're talking
19 about these quarterly testing results; is that
20 right?

21 A. Yes.

22 Q. So -- and that -- what happened to the
23 physical binder that Don had?

24 A. I don't know.

25 Q. Was it destroyed?

1 MR. COX: Object as asked and answered.

2 THE WITNESS: I don't know.

3 BY MR. SWANSON:

4 Q. And because Mark started in 2006 and you
5 didn't specifically ask Don that, you don't know
6 if his binder included quarterly testing results
7 going all the way back to 2001, do you?

8 A. I did not ask the date range of the
9 binder.

10 Q. What other reference do you have about --
11 in your notes regarding retention periods -- or
12 let's add holds to this -- for quarterly testing?
13 And if you see anything in there on any other type
14 of asbestos testing of the talc or the finished
15 talc products, I want to know about it -- that we
16 haven't discussed already.

17 A. Well, the next --

18 MR. COX: Objection to form.

19 Go ahead.

20 THE WITNESS: I'm sorry.

21 The next place this is referenced is in
22 the Nicholas Zhu section on page 20.

23 MR. SWANSON: Before you get into that,
24 hold that thought.

25 Let's go off the record so that the

1 digital media can be changed on the video
2 recorder.

3 THE VIDEOGRAPHER: Thank you.

4 This marks the end of Media Disk 3 in the
5 deposition of James Mittenthal.

6 We are going off the record at 2:55 p.m.

7 (Off the record.)

8 THE VIDEOGRAPHER: We are on the record at
9 3:12 p.m.

10 This marks the start of Media Number 4 in
11 the deposition of James Mittenthal.

12 Counsel, you may continue.

13 BY MR. SWANSON:

14 Q. Mr. Mittenthal, I think we were going
15 through -- we were talking about quarterly reports
16 and also other testing of the talc or finished
17 product for the presence of asbestos and the
18 retention periods or practices related to those.
19 And I think we had sort of exhausted what you
20 could say about the policies. But as to your
21 notes, were there other references in your notes
22 that you had in mind that are the basis of your
23 understanding?

24 A. Yes. So in the previous conversation, I
25 was simply walking through places in my notes

1 where quarterly audit testing or RJ Lee testing
2 had been captured, and the next place I had come
3 to was Nicholas Zhu, which is page 20.

4 So there are sections that talk about
5 batch records and mining and processing. Then it
6 goes down to about eight, nine lines from the
7 bottom, "quarterly testing third-party RJ Lee
8 cites in India, China, Thailand sent talc samples
9 to RJ Lee. Test results stored in SharePoint and
10 shared with manufacturing sites via email. Global
11 SharePoint site with folder dedicated to APAC
12 source quality team may have test results back to
13 2012."

14 Q. So that would correspond to the six years,
15 is that right, that we saw with Don Hicks? From
16 memory he was talking about six years.

17 A. I would actually suggest that Mr. Hicks
18 was talking about batch retention as opposed to
19 quarterly testing retention.

20 Q. Okay. He was talking about -- but he was
21 talking about testing, batch testing; correct?

22 A. Among other things, certificates of
23 analysis and other things associated with the
24 batch or a lot.

25 Q. And that would include testing of

1 asbestos?

2 A. Testing, yes.

3 Q. In here, what -- to be clear, Nicholas
4 Zhu, he's a supply -- is in supplier quality
5 management.

6 Does he work in China?

7 A. Yes.

8 Q. And did you speak to him on the phone?

9 A. Yes.

10 Q. And he's been there at Johnson & Johnson
11 China for five years; is that right?

12 A. Yes.

13 Q. And his understanding is that these
14 quarterly test results go back to 2012?

15 A. Yes.

16 Q. And do you have any other information as
17 to how far back -- well, do you know if they've
18 only been retained for that five or six-year
19 period or, in other words, there were prior
20 results and they had been retained six years, or
21 they've only been doing that testing back to 2012?

22 A. Yeah. I simply note that he said, you
23 know, don't believe they have anything prior to
24 that.

25 Q. Okay. So that doesn't answer the question

1 in the sense that we don't know the answer to that
2 question from what you learned from him, correct,
3 as to whether or not they only retained it for six
4 years or they didn't start this practice of
5 testing -- quarterly testing until 2012; true?

6 A. True. I just want to go back to my Don
7 Hicks notes for a quick second just to make sure
8 I'm answering that fully.

9 Okay. I checked. And I agree.

10 Q. Okay. Are there any other references that
11 you have to testing of the talc or the finished
12 product in terms of records retention?

13 A. Well, as I mentioned, the walk-through
14 that was encompassed before the break and now it
15 was -- I was really just looking for instances of
16 audit testing and how that was retained. I could
17 do another sweep just for any references to
18 retention of batches. I was -- I was really
19 focusing on looking -- looking for the retention
20 of quarterly audit. I may -- I may have found
21 additional places where there's batch information,
22 but I was -- I had been looking for the RJ Lee
23 quarterly audit information while we were looking
24 for it.

25 Q. On the break?

1 A. No. While we were going through this
2 exercise, I was focusing on the quarterly audits.

3 Q. And what I asked the last couple of
4 questions was go ahead and expand that. I mean,
5 initially we started with Don Hicks and some of
6 the testing that had been related to
7 manufacturing; right?

8 And so, since we're taking the time to go
9 through your notes on this, I'm interested in all
10 references to retention of testing records that
11 would involve testing for asbestos, whether that's
12 testing at the manufacturing facility or the
13 quarterly.

14 A. Uh-huh.

15 Q. Okay?

16 A. Okay.

17 Q. All right. So --

18 A. So the next one was Pankaj Verma, page 21.

19 Q. Okay.

20 A. And he indicated that "audit reports were
21 stored in TrackWise, a validated system." And his
22 comments about a validated system I understood
23 that to mean, among other things, that the -- that
24 this was a system of record and that the
25 information would be stored indefinitely in that

1 system.

2 And that TrackWise was, in fact, a global
3 system, meaning information that he input or that
4 happened in his region would be visible anywhere
5 around the world.

6 He --

7 Q. This is -- okay. So let's just back up
8 for a second there now.

9 Mr. Verma is director of APAC external
10 manufacturing quality; right?

11 A. Yes.

12 Q. And he's been working there for seven
13 years at J&J.

14 Does that mean including four years at J&J
15 India Mumbai?

16 A. You know, it's ambiguous because he then
17 says he was responsible for management and mining
18 for the last ten years. I'd have to double-check
19 that.

20 Q. You said that this audit reports -- now,
21 how do you know that those audit reports that are
22 being referred to there are auditing actual
23 testing -- testing results, testing talc for
24 asbestos?

25 A. The -- up above where it says "raw and

1 packaging materials suppliers, talc part of his
2 portfolio" then below that "audit of talc
3 manufacturing site ensuring that talc supplier
4 follows specs, testing, and overall global specs."

5 Q. So but there's a number of things in
6 there. So following specs. What was the talc
7 supplier for -- which talc supplier are we talking
8 about now? Do you know? Is it China?

9 A. Well, it appeared from the conversation he
10 was referring to both India and China.

11 Q. Okay. And you said that the audit reports
12 are stored in TrackWise. Is there -- you said
13 that you thought that that was -- well, strike
14 that.

15 How far back do these audit reports go?
16 Do you know?

17 A. I do not.

18 Q. And how long have they been stored in
19 TrackWise? For how many years?

20 A. I'm going to look at my -- if I can find
21 it quickly, my spreadsheet. I might need some
22 help.

23 Q. Well, it says right here -- maybe this
24 helps you -- "audit reports stored in TrackWise, a
25 validated system. Prior to that, ETQ Symphony,

1 including corrective actions, 2014." That's in
2 your notes on this same page.

3 A. Yes. For that region. I was looking --
4 okay. I wanted to see TrackWise in general. But,
5 yes, for that region it is in my notes.

6 Q. Right. So for that region, the
7 information wasn't being entered into TrackWise
8 until 2014; right?

9 A. Yes.

10 Q. And it came -- and it transferred over
11 from a different system? Well, let me ask you
12 what that reference means. "...a validated
13 system. Prior to that, ETQ Symphony, including
14 corrective actions." What does that mean?

15 A. So the first line, "Audit report stored in
16 TrackWise, a validated system," that stands on its
17 own.

18 And then the system prior to that for
19 storing audit reports was ETQ Symphony, and that
20 system also happened to store corrective actions.

21 Q. And do you know if that information was
22 transferred over that was in ETQ?

23 A. It doesn't say explicitly in here.

24 Q. Was the switch to TrackWise in 2014?

25 A. That's my understanding. I also wanted to

1 find my -- I don't see my -- is there something I
2 can lay my hands on? The list of -- is that one
3 of the exhibits floating around the table
4 possibly?

5 Q. I'm sorry. What are you looking for?

6 A. Sort of a Jim Mittenenthal set of lists. I
7 think it might be in one of those maybe.

8 Q. I think -- it's got to be in like
9 Exhibit 2?

10 A. No. It's like the three tables of the
11 applications, the timeline, and the names.

12 Q. Talking about this?

13 A. Well, that would have been the most recent
14 edition to it.

15 Q. This?

16 A. No. There's one more.

17 Q. I can't guess about what you... sorry.

18 A. I thought it had been marked.

19 Q. It probably has been. I think we marked
20 pretty much everything.

21 Describe what that document is that you're
22 looking for.

23 A. It's about a -- well, it's -- would be
24 printed on both sides. It's about a four or
25 five-page total, and it has a table that has a

1 timeline, it has a table that has a list of
2 applications, and a table that has a list of
3 people.

4 Q. I'm sorry. I'm not -- it's not ringing a
5 bell right now.

6 A. Okay. This is the document (indicating).

7 Q. Oh. I guess it's a document I haven't
8 seen yet. Or have I? Okay.

9 MR. COX: I think you have. It was part
10 of his notes.

11 MR. SWANSON: Yeah. Okay.

12 BY MR. SWANSON:

13 Q. This is a list of people that you
14 interviewed; right?

15 A. That's part of the list, yeah.

16 MR. SWANSON: Chris, was this in the
17 binder? This (indicating)? I just want to figure
18 out if we marked it or not.

19 MR. COX: No. He had it with him on the
20 first day, though. I don't know if you marked it
21 or not.

22 MR. SWANSON: I might not have.

23 MR. COX: There were a couple of things
24 that were not marked.

25 MR. SWANSON: Let's go ahead and mark

1 that.

2 Mr. Mittenthal, so we that we've got a
3 copy of it and so we just have a record of what
4 you're looking at there.

5 That's going to be Exhibit 31.

6 (Whereupon, Plaintiff's Exhibit 31 was
7 marked for identification.)

8 BY MR. SWANSON:

9 Q. Just for the record, can you tell me what
10 Exhibit 31 is?

11 A. Yes. It's three lists, and they are lists
12 that I compiled going through my notes. The first
13 part of the lists are just simply the people I
14 spoke to. The second part of the lists were the
15 applications that were discussed. And the third
16 part of the lists were dates mentioned by people
17 that I spoke to.

18 And I have gone to the second area of the
19 list, the applications discussed, in order to
20 ascertain information about TrackWise. And I just
21 have a general note that it was effective in 2014
22 and preceded by ETQ.

23 Q. Okay. All right. Let's see. We were on
24 page, I think it was 21?

25 A. Yes.

1 Q. And I apologize if I asked a question I've
2 already asked.

3 How far back did those talc testing audit
4 reports go?

5 A. I don't know.

6 Q. Okay. What's the next -- and you don't
7 know if this policy and practice or practice that
8 was happening for the last several years as to, I
9 think India and Thailand, were also practiced in
10 the Philippines or Hong Kong, do you?

11 A. Just the first part of the sentence again,
12 please?

13 Q. Do you know if this practice with respect
14 to these audit reports and currently putting them
15 in TrackWise and prior to that into ETQ Symphony,
16 do you know if that was -- if that applied to the
17 Philippines or Hong Kong?

18 A. Well, in the earlier conversation,
19 Mr. Nicholas Zhu identified himself as responsible
20 for the Philippines and noted that the use of --
21 noted the SharePoint site.

22 Q. Didn't we talk about that?

23 A. Yes.

24 Q. All right. As to talc -- are there any
25 other references that you have into retention

1 of -- retention policies or practices that you
2 know about that we haven't discussed already?

3 A. Well, in the -- further on in the section
4 about Pankaj Verma, which is page 21, there is a
5 notation, "expect a defined period of retention
6 for suppliers. Typically shelf life plus one
7 year."

8 So there is a general statement about
9 document retention that once again echos the
10 "expected shelf life plus one year" notion.

11 Q. So that's the six years basically; right?

12 A. Yes.

13 Q. And that would include testing?

14 A. Yes.

15 MR. COX: Object to the form.

16 BY MR. SWANSON:

17 Q. And here's another reference, and I think
18 this is consistent with what you just said. If
19 you go to page 61, 62. This is as to Pam Downs.

20 A. Yes.

21 Q. And Pam Downs is the person you've had the
22 most discussions with overall about Johnson &
23 Johnson's record searches and production and that
24 sort of thing other than perhaps the attorneys;
25 correct?

1 A. I would generally agree.

2 Q. And she's the principal at Triality which
3 is a company that works for Johnson & Johnson
4 dealing with their document searches and
5 productions on various levels; correct?

6 A. Yes. Evidence management.

7 Q. Evidence management. Okay.

8 If you look at what she said here on
9 page 62, near the top of the page it says, "Some
10 testing records maintained by third parties," and
11 then it says, "evaluate testing quarterly."

12 I don't know, do you know what that meant,
13 "evaluate testing quarterly" meant, when you spoke
14 to her initially then back in April of 2018?

15 A. Yeah. It's kind of mashed together. But
16 I would say "evaluate the talc by testing
17 quarterly" would be a more complete version of the
18 sentence.

19 Q. And then she also says retention of
20 testing docs was generally shelf life, a product
21 plus one year; correct?

22 A. Yes.

23 Q. So, again, that's -- then the shelf life
24 of the product is considered to be five years for
25 Johnson's Baby Powder; true?

1 MR. COX: Object to the form.

2 THE WITNESS: I would conclude that. I
3 wouldn't be able to speak on it with authority,
4 but that sounds in the range based on what Don
5 Hicks said as well as these other comments.

6 BY MR. SWANSON:

7 Q. So generally it seems like people are
8 saying it's shelf life, which is about five years,
9 plus a year for the preservation of the testing
10 results except in these instances recently where
11 you've said that some of the information got put
12 into -- I forget what the name of the platform
13 was.

14 MR. COX: Object to the form.

15 THE WITNESS: Well, going back to
16 Mr. Hicks, he indicated that, I think it was
17 Mr. Hicks, if not Mr. Zappa, that RJ Lee started
18 testing in 2009 and that that quarterly testing
19 was kept.

20 BY MR. SWANSON:

21 Q. So prior to 2009, at least in practice,
22 even though we haven't really determined it from
23 you looking at the policies because you haven't
24 been able to quite straighten that out, although
25 there was a reference in a policy.

1 But in terms of what practices you've
2 gathered from interviewing these witnesses was
3 that it was generally about six years for testing
4 results.

5 MR. COX: Object to the form.

6 BY MR. SWANSON:

7 Q. For testing; correct?

8 A. I would seek to make a clean separation
9 between testing from -- that accompanies batches
10 or the manufacturing process as opposed to testing
11 that stands apart from -- from a particular batch
12 or a lot, and whereas Mr. Hicks indicated that
13 that regular quarterly audit started in 2009, he
14 also indicated that there were other testing that
15 was done separate and apart, from batches and
16 audits -- sorry -- separate and apart from batches
17 and lots that occurred prior to 2009.

18 So batch lot testing with its shelf
19 life-based retention here; quarterly audits and
20 prior to 2009 an occasional audit-like testing
21 over here (indicating).

22 Q. Now, when Pam Downs is talking about this,
23 retention of testing, she's talking about the
24 quarterly audits or is she talking about -- do you
25 know, or is she talking about testing done in

1 conjunction with manufacturing?

2 A. She's -- when she talks about shelf life
3 of a product plus one year, it's in connection
4 with manufacturing.

5 Q. Okay. Now, go to page -- before I leave
6 generally this area of testing for talc or
7 finished product for asbestos and the retention of
8 those records, do you have any other information
9 as the representative of Johnson & Johnson to add
10 as far as when specific retention practices or
11 policies came into place and how long the
12 retention periods were that we haven't spoken
13 about?

14 MR. COX: Object to the form.

15 THE WITNESS: When I spoke of the places
16 in my notes, and I believe we've captured many of
17 those places both for the quarterly audits and for
18 the manufacturing-related testing, there are
19 references in the retention schedules I -- I had
20 difficulty tying them one by one. But they're --
21 the retention schedule would specify those
22 applicable periods as well.

23 The supplier audits -- the external
24 supplier audit agreements -- or the external
25 supplier agreement also encompassed retention

1 periods in them as we went through. And I think,
2 as I mentioned when we first started talking about
3 this, the legal holds would also specify testing
4 as a category to be held.

5 BY MR. SWANSON:

6 Q. Now, on retention schedules, we talked
7 about 1997 being the first actual retention
8 schedule. And you couldn't really tell from
9 looking at that whether that applied to the talc
10 testing, correct, at least from the preliminary
11 look that you took a couple of hours ago when we
12 looked at that; right?

13 MR. COX: Object to the form.

14 THE WITNESS: My understanding is that
15 those schedules would cover those intervals. I
16 would just need further study to tie the specific
17 references made by Mr. Hicks, Ms. Downs, Mr. Zhu,
18 Mr. Zappa, Mr. Verma, and others back to their
19 accompanying periods in the schedules themselves.

20 BY MR. SWANSON:

21 Q. Do you have any information -- and I may
22 ask you that tomorrow, because I don't want to
23 continue your deposition indefinitely into the
24 future, and I'm sure you probably agree with me
25 there. So I may come back on that to see if we

1 can specifically locate those.

2 But setting that aside, do you have any
3 information that there was any kind of formal
4 retention policy as to testing -- now you've said
5 the first hold was in 1999; correct?

6 A. Yes.

7 Q. And the first policy we have for retention
8 is 1997; correct?

9 A. Yes.

10 Q. So do you have any information that there
11 was -- that Johnson & Johnson had a retention
12 schedule or retention hold prior to 1997 that
13 would dictate the retention of any kind of testing
14 of Johnson's Baby Powder, or cosmetic talc
15 products, or the talc ore, or the milled talc that
16 was used in those products for asbestos?

17 MR. COX: Object to the form.

18 THE WITNESS: Insofar as holds, I have no
19 knowledge of anything before that. Insofar as
20 retention schedules, I have information from the
21 company that there were retention schedules
22 created in the early '90s. The earliest one made
23 available to me has been 1997. It's my
24 understanding that the retention schedules are
25 intended to cover topics such as retention of

1 testing documentation.

2 I have not seen anything earlier to 1997.

3 I have just a general understanding that the --
4 the very purpose of the retention schedules is
5 to -- is to address the retention of materials
6 that would be classified in the company's business
7 operations which would include testing.

8 I haven't seen anything prior to 1997.

9 BY MR. SWANSON:

10 Q. Okay. And we had -- and I wish I could
11 remember who it was you spoke to -- and we spoke
12 at length about a retention policy that was
13 referred -- retention, some kind of retention
14 policy that was referred to in your notes as of
15 the early 1990s. Remember that? And it was
16 supposedly based on the McNeil subsidiary's
17 retention policy?

18 A. That was -- well, that was authored by
19 Rosina Sheerin. There may have been references to
20 it, both from her discussion and possibly Michelle
21 Anderson.

22 Q. And when I asked you about that at that
23 time, you told me you didn't know the particulars
24 of that retention policy.

25 Do you remember that?

1 A. That's right.

2 Q. And you still don't know the particulars
3 of the retention policy; true?

4 A. That's right.

5 Q. And Lorena, she didn't tell you that this
6 retention policy was for testing results of the
7 talc for asbestos, did she?

8 A. I believe you mean Rosina?

9 Q. Rosina, yes.

10 A. Correct.

11 Q. You mentioned earlier, before I started
12 asking you these questions, that you -- you had
13 that understanding that that policy would be.

14 Are you speculating those earlier -- the
15 earlier policy from the earlier 1990s?

16 A. I'm simply saying that the purpose of a
17 retention policy is to cover the documents that
18 the company uses in the course of its business.
19 I -- I haven't seen them. I don't know one way or
20 the other whether testing is on there. I have
21 seen the 1997 schedule, which makes reference to
22 some types of testing. I'm not able to interpret
23 every category of testing and what that means. I
24 just know I've seen testing in the '97 schedule.

25 Q. What I want to do tomorrow so that I

1 don't -- I think I've closed that out for now, and
2 I hate to give you homework, but before we start
3 tomorrow, if you could look at those retention
4 schedules so I can ask this question again because
5 I do want to get to the bottom of this, because
6 you're referring to 1997, and you weren't sure
7 when I asked you if those were really regarding
8 talc testing. So that if you could look at a more
9 recent policy or two in 1997 that would help us
10 and it wouldn't take us very long to get through
11 it at that point as opposed to us slogging through
12 it page by page.

13 Is that something you can do?

14 MR. COX: Hold on. First of all, we
15 object to the continuation of this deposition
16 beyond today, and we can talk about that more at a
17 break, Mark. But we can also talk about whether
18 Mr. Mittenthal can look at what you're asking him
19 to look at, at a break today.

20 MR. SWANSON: Sure.

21 BY MR. SWANSON:

22 Q. All right. I want you to look at page 24
23 of your notes, please.

24 A. I'm there.

25 Q. Now, prior to PTI doing the manufacturing

1 of the domestic Johnson's Baby Powder, it was done
2 by Royston, is that right, or did it go from -- is
3 that correct?

4 A. Well, my general understanding is that
5 Royston was the name of a company facility.

6 Q. And that was in Georgia?

7 A. Yes.

8 Q. And do you know if the Royston facility
9 had any retention policy with respect to any
10 testing that they did for certificates of analysis
11 on the presence of asbestos in the product or in
12 the talc that was coming in?

13 A. My understanding was that Royston would be
14 part of the company and would be subject to any
15 consumer -- consumer retention policies in place.

16 Q. And Royston did the manufacturing up until
17 2004 or '5 when it went to PTI; is that correct?

18 A. Well, Johnson & Johnson did the
19 manufacturing at its Royston facility. That's my
20 understanding.

21 Q. And do you know how far back that went,
22 that Royston did the manufacturing?

23 MR. COX: Objection. Beyond the scope of
24 the notice.

25 BY MR. SWANSON:

1 Q. Strike that.

2 But if we went from Royston, Johnson &
3 Johnson Royston to PTI in 2004 or '5, we talked
4 about that; right?

5 A. Yes.

6 Q. The question is, do you have any
7 information that at the Royston facility, the
8 manufacturing facility, there was a retention
9 policy as to any testing documents that were being
10 generated by them, or received by them, in other
11 words, generated during manufacturing or received
12 by them in terms of, like, talc supply that they
13 received?

14 A. My understanding is that those would have
15 been subject to the franchise level retention
16 policies that we discussed for which we have '97
17 and others, and also, where applicable, subject to
18 a legal hold within the appropriate time frames.

19 Q. Now, going back before Royston,
20 manufacturing was done at New Brunswick; correct?
21 North Brunswick, sorry.

22 A. Well, I certainly am not able to speak --

23 Q. This is at page 24. I understand. But
24 obviously -- I mean, we can both agree that you
25 have been hired to act as a representative for

1 Johnson & Johnson and you've done certain
2 research. And so, with that in mind, your notes
3 from your interview with Lorena Telofski at
4 page 24 of your notes indicates that the
5 manufacturing was done at North Brunswick?

6 MR. COX: Object.

7 BY MR. SWANSON:

8 Q. Correct?

9 MR. COX: Sorry. Object to the extent
10 you're seeking to elicit testimony from someone
11 who's not designated about topics as to where the
12 product was manufactured.

13 MR. SWANSON: These are document issues,
14 Chris. I'm just trying to get to document issues,
15 since that's what we're talking about.

16 MR. COX: That's not a document question.

17 THE WITNESS: She -- I asked her some
18 questions. This was part of her answer. I wrote
19 it down.

20 BY MR. SWANSON:

21 Q. Okay. So from that you understood that
22 the manufacturing went from North Brunswick to the
23 Royston plant; correct?

24 A. That's what she indicated.

25 Q. And some of the manufacturing was done by

1 Kolmar Laboratories in Port Jervis, New York;
2 correct?

3 MR. COX: Object to the form. Object to
4 the extent it's beyond the scope of the notice.

5 BY MR. SWANSON:

6 Q. From your notes.

7 A. That is in my notes.

8 Q. And that's all we've been talking about.

9 I mean, your understanding from what you learned
10 from talking to people. I understand you have
11 more expertise about documents and retention and
12 that sort of thing, but all this is information
13 that you've gained from talking to people; right?

14 A. Well, I wrote down the -- the -- what was
15 elicited during our conversation, so.

16 Q. So I want to get to the document issues,
17 though. You see that the -- the North Brunswick
18 plant closed down; correct? You see down there
19 where it says, "All buildings in North Brunswick
20 have been sold and taken down"?

21 A. Yes, I do.

22 Q. What happened to the records that were at
23 North Brunswick?

24 A. I don't have that information in my notes.

25 Q. Were they destroyed?

1 MR. COX: Objection. Asked and answered.

2 THE WITNESS: I don't know.

3 BY MR. SWANSON:

4 Q. Now, if you look -- Don -- your notes
5 regarding Don Hicks -- and kind of you could hold
6 on to that Lorena Telofski page 2. But if you
7 look at page 12.

8 A. Yes.

9 Q. You see about six lines down he says,
10 "Responsibility of maintaining records resides
11 with the site doing the work"?

12 A. Yes.

13 Q. Okay. So North Brunswick had the
14 responsibility for those records; correct?

15 A. I can only infer that from -- from
16 Mr. Hicks' comment. I don't know that as a fact,
17 but it could be inferred.

18 Q. Do you know what year that that happened,
19 that the North Brunswick buildings were taken
20 down?

21 A. No.

22 Q. Do you know -- from your notes I see that
23 they were doing testing at the manufacturing
24 facilities; correct?

25 MR. COX: Object to the form.

1 THE WITNESS: Can you cite me to a place
2 in my notes for that?

3 BY MR. SWANSON:

4 Q. I lost the cite, but I know that that was
5 done. Let me see if I can find it that they had
6 testing records.

7 I saw this at page 24 and I apologize.
8 I'm not...

9 Oh, you see at 24, it says -- you see the
10 reference to "PO, specs, test records, quality
11 SOPs," about two-thirds of the way down?

12 A. Yes.

13 Q. And that's -- those are records regarding
14 these facilities that were manufacturing; is that
15 right?

16 MR. COX: Object to the form.

17 BY MR. SWANSON:

18 Q. You see below that "testing both for
19 what's in it, what's not in it, purity, et
20 cetera"?

21 A. Absolutely. Although I'm not -- it's not
22 clear whether Ms. Telofski is talking about
23 Kolmar, North Brunswick, or Georgia in this -- in
24 this portion.

25 Q. But they are talking about manufacturing

1 plants having -- and it also says "certificate of
2 conformance and basic testing on inbound talc."
3 So they're receiving testing records and
4 generating their own at manufacturing facilities;
5 right?

6 A. That's my interpretation of her comment.

7 Q. Okay. And, as you sit here today, you
8 don't know what happened with those testing
9 records from North Brunswick, New Jersey plant
10 when that was -- when that manufacturing operation
11 was transferred, or when the buildings were taken
12 down; true?

13 A. Correct.

14 Q. And I think Mark Zappa at the bottom of
15 page 17, he said -- this is just sort of -- at
16 page 17, he says that the shipments of talc had to
17 have a certificate analysis of them that came in.
18 Let me see if I can find that.

19 You see the certificate of -- oh, it says,
20 "Certificate of analysis would include test for
21 asbestos."

22 MR. COX: Object to the form.

23 BY MR. SWANSON:

24 Q. Do you see that?

25 A. Yes, I do.

1 Q. From Lorena Telofski's notes, it would
2 appear that these manufacturing facilities
3 receiving testing records and generating their
4 own, that would have included the Kolmar facility,
5 too; correct?

6 MR. COX: Object to the form. Beyond the
7 scope of the notice. Other than what's in his
8 notes.

9 BY MR. SWANSON:

10 Q. Page 24.

11 A. Oh, thank you. I can't confirm that --
12 which facilities she's talking about, as I
13 mentioned, whether it's Kolmar, North Brunswick,
14 or Georgia, or all of them.

15 Q. And again, I understand that you're not
16 here as the PMQ on where all the manufacturing
17 sites were, but these are all records questions.
18 I'm just asking a foundational question here.

19 Do you know when Kolmar Laboratories
20 started and during what period of time it was
21 manufacturing Johnson's Baby Powder?

22 MR. COX: Objection. Beyond the scope of
23 the notice.

24 BY MR. SWANSON:

25 Q. And if you don't know, that's fine.

1 A. I don't know.

2 Q. Okay. And do you know whatever records it
3 had regarding certificates of analysis, testing
4 records for asbestos, manufacturing
5 specifications, those sorts of records, do you
6 know how they were archived at that facility?

7 A. I have a general comment from Ms. Telofski
8 that there was material put into, I believe it was
9 Iron Mountain, but I'm not sure which -- which
10 materials she is referring to.

11 Q. And where is that?

12 A. Looking on page 2. Let me see if I can
13 find it. Oh. She was talking about APRs, so I
14 know that some of records she referenced are in
15 Iron Mountain. I don't know which other ones
16 besides the APRs.

17 Q. APRs is authorization for product release?

18 A. Yes.

19 Q. That's not testing records, is it?

20 A. Not that I'm aware of.

21 Q. And it says it includes formula safety.

22 Do you know what plant that is applying to
23 or what plants?

24 A. Well, the discussion at that time was
25 about Skillman, but I don't know the scope of what

1 was stored in Iron Mountain under her
2 jurisdiction.

3 Q. Okay. So as to Kolmar, let me get back to
4 the question, do you know at the Kolmar
5 manufacturing packaging facility what they did
6 with respect to the retention and archiving of
7 records?

8 A. No.

9 Q. And do you know when that facility no
10 longer was manufacturing Johnson's Baby Powder,
11 what it did with whatever records it had?

12 A. No.

13 Q. Were those records destroyed?

14 MR. COX: Objection. Asked and answered.

15 THE WITNESS: I don't know.

16 BY MR. SWANSON:

17 Q. I touched on this earlier, but I want to
18 go into this just briefly: Do you have any
19 information regarding the Johnson & Johnson's
20 policies, if any, with respect to what are called
21 "grids" associated with transmission electron
22 microscopy testing?

23 MR. COX: Objection. Asked and answered.

24 THE WITNESS: I don't --

25 BY MR. SWANSON:

1 Q. I apologize if I asked. But --

2 A. I don't have information on grids.

3 Q. Do you have information with respect to
4 what the current retention schedule period is for
5 talc samples? And that would be talc ore, milled
6 talc, or baby powder samples that are tested?

7 A. My understanding is based on the legal
8 hold notice, which is -- which is -- specifies
9 that samples are to be retained.

10 Q. And the legal hold notice -- now, there's
11 been a sequence of legal hold notices going back
12 to 1999, correct, with respect to talc litigation?

13 A. Yes.

14 Q. Okay. And is it your understanding that
15 those -- that's essentially been continuously in
16 effect since 1999 with respect to anything that
17 was under that original hold?

18 A. I read each of the notices. They have
19 descriptions of subject matter. I've noted that
20 those subject matter descriptions have evolved
21 over time.

22 Q. Okay. But with respect to samples. And
23 we will talk a little bit more about holds. But
24 just -- well, let me -- let me get off of that and
25 just stay on the retentions for a second.

1 I noticed in Exhibit 2D, or Tab 2D, which
2 is Exhibit 2D, the PTI agreement appeared to be
3 for retention of talc samples for four years. And
4 perhaps we should look at that and I'll ask you
5 about that. And that's at page 9 of 2D. Oh, we
6 get into this page issue with this, don't we?

7 Did you see it in there?

8 A. Yes. 7 of 16 and below that, 9 of 19. So
9 it's Section 12.4.

10 Q. Okay. And what is the -- first of all,
11 what samples is this referring to? This is --
12 these are product samples that they're referring
13 to?

14 A. Yes. So this -- this Section 12.4 falls
15 under 12.0 product controls, which relate to the
16 identification sampling and testing of finished
17 product.

18 Q. Okay. And so the retention on finished
19 product was for what period?

20 A. Four years from date of manufacture or one
21 year after expiration date.

22 Q. What's the -- that's the expiration date,
23 for example, that you'd see on the actual bottle
24 or container? Is that what that refers to?

25 A. I don't know.

1 Q. What's the date of this quality system
2 procedure or quality responsibility agreement?

3 A. February 2005.

4 Q. Do you know -- at this point in 2005,
5 there had already been talc litigation hold in
6 place as early as 2' -- sorry, 1999.

7 Do you know if it affected this retention
8 as to the talc that was -- the Johnson -- the baby
9 powder that was being manufactured by Pharma Tech
10 Industries in 2005?

11 MR. COX: Object to the form.

12 BY MR. SWANSON:

13 Q. In other words, did the legal hold sort of
14 suspend this policy?

15 MR. COX: You're asking as to the samples
16 described in that document?

17 MR. SWANSON: Yes.

18 THE WITNESS: I'm -- I would want to check
19 the legal holds. I'm not aware that the holds in
20 that time referred to samples.

21 BY MR. SWANSON:

22 Q. Okay. Do you have any information other
23 than -- and we'll get to the legal holds shortly.

24 Do you have any other information in terms
25 of retention policies with respect to retention of

1 talc samples, either, you know, the talc ore or
2 the milled talc that may have been tested on a
3 quarterly or some other basis, or of actual
4 product test -- finished product test samples?

5 A. I have a general understanding that
6 samples -- that the universe of samples comprised
7 those that were associated with a batch or a lot
8 and retained in accordance with -- with the
9 company's retention schedules.

10 As a second category was samples that were
11 used specifically for testing purposes, and those
12 samples were not retained until the last year.

13 And a third category would be historical
14 samples that would be obtained from the museum and
15 other sources.

16 Q. Thank you for that answer.

17 So I think that was pretty clear. So let
18 me just -- as to the samples related to testing of
19 the talc, you said until a year ago those were not
20 retained; correct?

21 A. That's correct.

22 Q. So they were destroyed?

23 A. The samples used specifically for creating
24 test results were not retained.

25 Q. Okay. And now they are being retained?

1 A. Yes.

2 Q. And do you know why that policy was
3 changed in the last year?

4 A. My understanding is that within the past
5 year a request was made to the testing body to
6 retain that information.

7 Q. And what testing body is that?

8 A. Well, that would include RJ Lee, anyone
9 else doing testing.

10 Q. Okay. So --

11 MR. SWANSON: Do you want one last break?

12 MR. COX: Sure.

13 MR. SWANSON: And then we'll go until the
14 end of the day?

15 MR. COX: Yeah.

16 MR. SWANSON: And if we need to discuss
17 anything, we can discuss it.

18 MR. COX: Sounds good.

19 MR. SWANSON: Let's go off the record.

20 THE VIDEOGRAPHER: This marks the end of
21 Media Number 4 in the deposition of James
22 Mittenthal.

23 Going off the record at 4:13 p.m.

24 (Recess taken.)

25 THE VIDEOGRAPHER: On the record at

1 4:49 p.m. This marks the start of Media Number 5
2 in the deposition of James Mittenthal.

3 You may continue, Counsel.

4 BY MR. SWANSON:

5 Q. Okay, Mr. Mittenthal, I'm going to try to
6 be real efficient here for the rest of the part of
7 the day that we have, and we're going to get into
8 talking about holds now which we've touched on a
9 few times, but I want to go over some information
10 about that.

11 THE VIDEOGRAPHER: Is your microphone on?

12 Okay.

13 BY MR. SWANSON:

14 Q. So, in the most basic sense, a legal hold
15 is an instruction to custodians or possessors of
16 certain kinds of specified documents to preserve
17 them and not destroy those documents as long as --
18 documents and information as long as the hold is
19 in effect; is that correct?

20 A. I would agree.

21 Q. And a hold stays in effect until a hold --
22 a release notice is issued; is that right?

23 A. I would generally agree. There may be
24 other circumstances besides a release by which a
25 receiver of a hold could be relieved of that

1 obligation.

2 But certainly the counterpart to a hold is
3 a release.

4 Q. Okay. And you've got -- you've prepared a
5 history of holds, which is Exhibit 21; correct?

6 A. Is that -- just make sure I've got my
7 version in front of me somewhere.

8 Q. You should have your copy there. I know
9 you've got a lot of stuff. You know, maybe we can
10 get some of your things there out of the way and
11 put them in a stack.

12 A. Here it is.

13 Q. Okay. So Exhibit 21 is a list of Johnson
14 & Johnson holds with respect to talc litigation
15 that you've compiled; correct?

16 A. Yes.

17 Q. Okay. And the first one that you've got
18 there is Theresa Krushinski on November 11, 19199,
19 and that was a talcosis case; correct?

20 A. Yes.

21 Q. And then the next one you've got is 2000,
22 which is a mesothelioma case; correct?

23 A. Yes.

24 Q. And both Johnson & Johnson's Baby Powder;
25 true?

1 A. Johnson's Baby Powder.

2 Q. Sorry. Johnson's Baby Powder. And I
3 think the third one listed there is 2003, the
4 Hozeny case.

5 Do you see that?

6 A. Yes.

7 Q. And I know that's been produced to us.
8 Let me find this. At Exhibit 1B.

9 Do you have that with you? Oh, it's in
10 your -- those exhibits are marked per tab.

11 A. Okay.

12 Q. Exhibit 1B. So in Exhibit 1, you have
13 several holds and then some were produced after
14 that. And you see there, in that hold, this was
15 hold notice issued by the legal department;
16 correct?

17 A. Yes.

18 Q. And this puts folks on notice in the
19 company that if you fail to preserve materials
20 that are under a hold, it can result in the court
21 imposing penalties or sanctions; right?

22 A. Yes.

23 Q. Now, you had previously testified that you
24 had acted as consultant and a witness in the
25 Ethicon litigation for Johnson & Johnson; correct?

1 A. Consultant and a witness meaning the
2 same -- the same role?

3 Q. Yeah. In the same -- in the Ethicon
4 litigation. Yeah. In other words, you were a
5 witness and you were also their consultant in that
6 litigation; true?

7 A. I was a witness.

8 Q. A witness.

9 A. Not a --

10 Q. Were you working? Were you hired by
11 Johnson & Johnson?

12 A. I was hired to be a 30(b)(6) only.

13 Q. Okay. All right. And you testified in
14 the case; right?

15 A. Yes.

16 Q. And you know that there was an allegation
17 by the plaintiffs in the case that there was a
18 failure to preserve evidence that had been subject
19 to a hold; right?

20 A. I -- I recall that those issues arose,
21 yes.

22 Q. And you investigated that issue; correct?

23 A. Yes.

24 Q. And you gave a deposition about it?

25 A. Yes.

1 Q. And you discovered through your
2 investigation something you testified about that
3 potentially responsive documents and information
4 were destroyed that had been subject to a hold;
5 correct?

6 MR. COX: Object to the form. Object that
7 this is beyond the scope of the notice.

8 THE WITNESS: I investigated and I
9 testified as to certain occasions where I had
10 observed custodians not preserving materials that
11 they could have.

12 BY MR. SWANSON:

13 Q. And those materials were materials that
14 were under holds at the time; correct?

15 A. Yes.

16 Q. Have there been any -- have there been any
17 issues of loss with respect to talc litigation by
18 Johnson & Johnson that have not been disclosed to
19 plaintiffs that you're aware of from your work in
20 these talc cases?

21 A. I'm not.

22 Q. Now, we've talked about hold release
23 notices. You said that was one way that hold
24 would no longer be in effect. What's the other
25 way that a hold would no longer be in effect if it

1 wasn't pursuant to a hold release being issued by
2 the legal department?

3 A. There could be a direct communication with
4 the custodian saying this is not something that's
5 required anymore. There could be circumstances
6 that -- that result in the obligation for the
7 custodian going away.

8 Q. Have you -- we haven't received any -- or
9 in this case that I've seen, no legal hold
10 releases were produced.

11 Are you aware of any Johnson & Johnson
12 talc litigation legal hold releases that have been
13 issued?

14 A. I'm not.

15 Q. Are you aware of any of the holds having
16 been any -- any custodians having been released
17 from any of the talc litigation holds that have
18 been issued since 1999?

19 A. No.

20 Q. And is it fair to say that each of the
21 holds that you've documented starting in 1999
22 through 2017 has essentially been incorporating
23 whatever was already under a hold pursuant to the
24 prior hold and then adding some more details to
25 it; is that -- is that correct?

1 MR. COX: Object to the form of the
2 question.

3 THE WITNESS: Well, to my recollection,
4 the 2017 holds serve to -- serve that function to
5 gather earlier holds. The holds between 1999 and
6 2017 refer to specific cases.

7 BY MR. SWANSON:

8 Q. Okay. Now, you said that you weren't
9 aware of any releases of those holds. So, even
10 though those holds refer to specific cases, they
11 weren't released or no longer in effect just
12 because those cases ended, were they?

13 MR. COX: Object to the form.

14 THE WITNESS: As I mentioned, I hadn't
15 seen any releases of those -- of those holds.

16 BY MR. SWANSON:

17 Q. I understand that. But it's an additional
18 question, which is, were those holds still in
19 effect on Johnson & Johnson that had been issued
20 in specific cases even after the issues of the
21 case resolved?

22 A. Well, the -- the instructions were -- were
23 still out there. In terms of the legal
24 obligation, I can't speak to that. That's a legal
25 determination. The holds themselves had not been

1 subject to releases.

2 Q. Earlier you mentioned that the holds were
3 related to, I think you said something like
4 consumer talc or something like that.

5 Are there -- are there releases related to
6 other kind of talc -- not releases. Are there any
7 litigation holds that were ever put on Johnson &
8 Johnson's businesses with respect to any other
9 type of talc, like industrial talc, that you're
10 aware of?

11 A. I'm not aware. I specifically requested
12 consumer talc holds as being reflective of my
13 obligations under the notice. I'm not aware of
14 other holds.

15 Q. Okay. And you've asked -- you've asked
16 witnesses about holds, is that correct, people
17 that you've spoke to?

18 A. The -- the interview subjects, the topic.
19 Not in every case but in some cases, it did come
20 up.

21 Q. Did you ask them if -- did you ask -- did
22 you do anything to audit whether or not they were
23 complying with holds?

24 A. I -- I did not see a compliance audit as
25 part of my investigation. I asked in some cases

1 the records personnel about the mechanism for
2 holds. I did not personally audit any compliance.

3 Q. Did you audit any of the cleanout?
4 Remember, we talked about the annual cleanout
5 procedure. Did you audit any cleanout notices or
6 documents documenting the cleanout procedures to
7 see if any records had been destroyed that were
8 under legal holds or retention schedules?

9 A. No. That was not part of my
10 investigation.

11 Q. Now, the 1999, let's start with the first
12 one here. Let me see if I can locate this. Here
13 we go.

14 (Whereupon, Plaintiff's Exhibit 32 was
15 marked for identification.)

16 BY MR. SWANSON:

17 Q. I'm handing you Exhibit Number 32 to your
18 deposition. And for the record, what is
19 Exhibit 32?

20 A. A document preservation notice dated
21 November 11, 1999.

22 Q. And that's the one in the Krushinski case;
23 correct?

24 A. Yes.

25 Q. And that is the first one that you're

1 aware of; true?

2 A. Yes.

3 Q. And this one was directed as pertaining to
4 Johnson's Baby Powder. It says that on the second
5 page of this. And it says on the first page that
6 it just -- in the first paragraph there it says
7 "JJCP" --

8 That would be Johnson & Johnson Consumer
9 products; is that right?

10 A. That's my read.

11 Q. -- "is party to a lawsuit involving
12 allegations of manufacturing or design defect or
13 failure to warn in connection with the below
14 product." And it mentions Johnson's Baby Powder.

15 To which companies, Johnson & Johnson
16 companies, operating units, divisions was this
17 document preservation notice directed?

18 A. It's not specified.

19 Q. Do you have any information as to this
20 hold whether or not it applied, for example, to
21 operating units overseas such as in Hong Kong and
22 the Philippines?

23 A. I don't have information as to who it was
24 distributed to.

25 Q. Do you know any of the individual

1 recipients of this hold notice?

2 A. That was not part of my investigation.

3 Q. Does that information still exist as to
4 who the recipients were of the hold in 1999?

5 A. I don't know.

6 Q. In 1999, what was the policy of Johnson &
7 Johnson with respect to distribution of holds, if
8 it had one?

9 A. I can check my notes with respect to that.
10 I'm noting on page 34 in the Renay Lawson section,
11 simply that Renay would send holds and releases as
12 directed by legal and upload to Web site. Had
13 different distribution lists.

14 Q. And she had been there since 2009;
15 correct? It says nine years --

16 A. Okay.

17 Q. -- at Consumer.

18 This is Renay Lawson, the records
19 information management lead; right?

20 A. Yes.

21 Q. Okay.

22 A. I have further information on page 36 from
23 Rosina Sheerin that both she and Renay would send
24 hold notices at different times and that they
25 maintained distribution lists based on a cover

1 page.

2 Q. Okay. And do you know if those
3 distribution lists still exist?

4 A. I know that I have seen distributions on
5 some of the hold notices.

6 Q. Okay. And we're going to go through each
7 one in a little bit, so we'll get to that, if
8 there's a distribution list.

9 With respect to 1999 Krushinski case hold,
10 you don't have a distribution list for that, do
11 you?

12 A. Correct.

13 Q. And again, as the Johnson & Johnson's
14 representative on this issue, this is the first
15 talc litigation hold that was issued in 1999;
16 correct?

17 A. Consumer talc.

18 Q. Consumer talc.

19 All right. So you're not aware of any --
20 well, let me ask you this way: And not to get off
21 on another sort of substantive issues too much.
22 But do you have information that there were holds
23 related to talc that wasn't consumer talc?

24 A. No.

25 Q. If you look at your binder there, Tab 1C.

1 This is the January 7, 2000 document preservation
2 notice in the Barbara Bloch case.

3 Do you see that?

4 A. Yes.

5 Q. And this was, says "JJCPI, et al. is a
6 party to a lawsuit involving allegations of
7 manufacturing or design defect or failure to warn
8 in connection with the below product."

9 And, again, this is in regards to the
10 Johnson's Baby Powder; true? It's on the next
11 page there? Oh, you've got it in your summary.

12 A. Yes. Yes.

13 Q. And by the way, just to make this clear on
14 the record, "document preservation notice" means
15 the same thing as a legal hold notice; correct?

16 A. Generally, yes.

17 Q. And Johnson & Johnson at some point just
18 changed the language that they used to refer to
19 it? They called it -- later they called it a
20 "legal hold notice"; true? We can get to those
21 later.

22 So, as far as this one, do you know who --
23 which operating units or companies of Johnson &
24 Johnson received that, whether or not it was
25 anybody beyond just Johnson & Johnson Consumer

1 Products, Inc.?

2 A. I do not.

3 Q. Okay. And do you know to whom -- what
4 individuals received this notice?

5 A. I do not.

6 Q. Do you have any information about what
7 training was done of individuals about how to
8 effectuate this notice?

9 MR. COX: Object to the form.

10 THE WITNESS: I have a general
11 understanding from the records officer that there
12 was training in the records program and that that
13 included legal hold instructions.

14 BY MR. SWANSON:

15 Q. And did you say "records manager"?

16 A. Training in records management issues.

17 Q. Who was it that you were speaking to about
18 that issue?

19 A. Possibly Lisa Kaiser. Let me...

20 Q. Before I make you look that up -- and if
21 you need to look it up to get into the heart of
22 it, what did she tell you about what the training
23 was?

24 A. Actually, I'm looking at the Joann Dodd
25 information.

1 Q. Can you give me a page number on that,
2 please?

3 A. Oh, yes. 29. Sure.

4 So Ms. Dodd spoke about the training that
5 was -- that was provided.

6 Q. Can you direct me to that, please?

7 A. Yes. The bottom of -- near the bottom of
8 page 1. "Training included legal hold, departing
9 associates, retention procedures, roles."

10 Q. And she was the -- she is this analyst
11 records management, J&J Consumer, Inc.; right?

12 A. Yes.

13 Q. And do you know -- she started in 2007 or
14 '8?

15 A. Yes.

16 Q. Do you know at what point those -- the
17 training started that she's referring to?

18 A. Not the exact start date, no.

19 Q. And do you know how -- do you have any
20 information about how far that training goes back
21 and whether there was any training in the year
22 2000 at the time of the Barbara Bloch case?

23 A. I don't have specifics on that.

24 Q. At Tab 1B there's a hold in the Hozeny --
25 Hozeny case versus Johnson & Johnson Consumer

1 Companies, Inc.

2 Do you see that?

3 A. Yes.

4 Q. And, again, this is called the "document
5 preservation notice." The date is May 16, 2003.

6 And this is Exhibit 1B, for the record.

7 And what was -- this looks similar to
8 the '99 and 2000 holds that we've seen. But does
9 it -- it looks like it may add something
10 additional. Can you tell me what is the subject
11 of this hold?

12 A. You mean what is the -- the --

13 Q. Well, what product was at issue and --

14 A. It generally referred to talc products.

15 Q. And the basic language is the same,
16 correct, of the hold? As the holds we had
17 discussed for the 1999 and 2000 cases?

18 MR. COX: Object to the form.

19 BY MR. SWANSON:

20 Q. But then you get to the details of what
21 materials are to be held, and there's a bit more
22 detail. It's fleshed out a bit more; correct?

23 A. The language has evolved. There are eight
24 categories as opposed to four categories with
25 earlier notices. It is -- it is somewhat

1 different.

2 Q. We had earlier -- I should hit on this now
3 so I don't forget, but we had talked about talc
4 samples. And in this 2003 hold looking at the
5 list of materials that were subjects -- subject
6 matters of documents to be preserved, did that
7 include talc samples in 2003?

8 A. I do not believe it did.

9 Q. Okay. And just looking back quickly on
10 this, the 1999 and 2000, those didn't include --
11 wouldn't include talc samples either; correct?

12 A. There is references to information about
13 samples, not samples themselves.

14 Q. Okay. Can you point me to that, under
15 which?

16 A. Under Section 4 in both the '99 and the
17 2000 documents.

18 Q. But not the samples themselves; true?

19 A. Correct. And only those records about the
20 samples pertaining to the event.

21 Q. And the 2003 legal hold in the Hozeny
22 case, and I apologize if I asked this, do you know
23 if this applied to any overseas operating
24 companies of Johnson & Johnson, like Johnson &
25 Johnson Philippines or Johnson & Johnson Hong

1 Kong?

2 A. My general understanding is that it did
3 not.

4 Q. And your general understanding as to it
5 not applying, would that be the same as to the
6 1999 and 2000 holds, too?

7 A. Yes.

8 Q. And what's the source of that
9 understanding?

10 A. That information came from counsel.

11 Q. Okay. And I believe the next hold is a
12 2009 hold; is that correct?

13 A. Yes.

14 Q. You have a copy of that with you? I know
15 I have it here somewhere.

16 MR. COX: I have extra copies if you need.

17 MR. SWANSON: That would be great, thanks,
18 Chris. I'm sorry -- oh, wait. Is this it? I've
19 got it. Yeah. Okay. Good. I have it. Thank
20 you.

21 Okay. I have marked as Exhibit 33 to your
22 deposition this hold in the Berg case.

23 (Whereupon, Plaintiff's Exhibit 33 was
24 marked for identification.)

25 BY MR. SWANSON:

1 Q. Can you take a look at that and, just for
2 the record, is that the Deane Berg v. Johnson &
3 Johnson Consumer Companies, et al. hold dated
4 December 15, 2009?

5 A. Yes.

6 Q. And that's Exhibit 33. And this hold
7 again is with respect to Johnson & Johnson's Baby
8 Powder and this time it also specifically
9 references Shower to Shower powder; right?

10 A. Yes.

11 Q. And Shower to Shower is another cosmetic
12 talc product that Johnson & Johnson made; true?

13 A. At the time, yes.

14 Q. And this one in 2009 we get quite a bit
15 more detail; correct?

16 A. Yes.

17 Q. And there's even, it looks like a
18 distribution list, is that right, in terms of what
19 units it's distributed to?

20 A. Yes.

21 Q. And it indicates here in the units that
22 this legal hold were issued to is -- are
23 identified that they're checked and it looks like
24 they're also highlighted in yellow; true?

25 A. I see that, yes.

1 Q. And that includes Johnson & Johnson
2 Consumer Companies, Inc.; Johnson & Johnson
3 Consumer and Personal Products Worldwide, Division
4 of Johnson & Johnson Consumer Products, Inc. Then
5 it says Johnson & Johnson Corporate, Corporate
6 Communications, and then also under Corporate
7 Consumer and Personal Care and Quality and
8 Compliance World -- is that "Worldwide"? WW?

9 A. Yes.

10 Q. This notice was not issued to Johnson &
11 Johnson Philippines, was it? Or Johnson & Johnson
12 China?

13 A. No.

14 Q. Okay. Do we -- do you know who the
15 individuals -- do you know -- there are identified
16 Johnson & Johnson operating units and companies
17 that were issued this legal hold notice. Do you
18 know what individuals received it other than those
19 listed as receiving this document on the first
20 page, it looks like? And there's about, what,
21 15 -- 15 to 20 individuals there listed.

22 Do you see that?

23 A. Yes. It would be under "attachments"?

24 Q. Yeah.

25 A. "Cc."

1 Q. Well, there's only, I guess, about --
2 well, under "attachment," those are people who
3 received this document preservation notice; is
4 that right?

5 MR. COX: Object to the form.

6 THE WITNESS: I'm sorry. One more time,
7 please.

8 BY MR. SWANSON:

9 Q. Under -- next to "cc," where it says the
10 people who were copied, they received this;
11 correct?

12 A. Yes.

13 Q. Okay. What about the other people in the
14 right -- more to the right column? Did they
15 receive it? What are they listed as here? Or do
16 you have an understanding?

17 A. Well, I would just generally conclude that
18 this is a long cc list and they -- there is no --
19 it appears to be in alphabetical order starting
20 with Braunreuther going up to Will -- Will Wiley.

21 Q. Do you know of anybody -- do you know of
22 any other individuals received this notice other
23 than these indicated here?

24 A. Well, the recipients of the communication
25 were Debbie Staneruck and Edith Mendez, and they

1 were directed to distribute the notice companywide
2 to the attached companies as well as anyone else
3 that they may understand might be knowledgeable of
4 these issues.

5 Q. Okay. And when you say "distributed
6 companywide," do you know in 2009 -- strike that.

7 The next one that I want to ask you about
8 is -- there were three different holds in 2014.

9 Have you seen those?

10 A. Yes.

11 Q. Okay. And that would be the Chesteen
12 case, Estrada, and the State of Mississippi;
13 right?

14 A. Yes.

15 Q. And these were all issued as a result of
16 lawsuits against Johnson & Johnson Consumer
17 Companies, Inc.?

18 A. That's my understanding.

19 MR. SWANSON: Okay. I'm not going to
20 spend much time on these, but I do want to get
21 them marked and attached.

22 So 34 will be the hold in the Chesteen
23 case.

24 (Whereupon, Plaintiff's Exhibit 34 was
25 marked for identification.)

1 MR. SWANSON: 35 will be the hold in the
2 Estrada case.

3 (Whereupon, Plaintiff's Exhibit 35 was
4 marked for identification.)

5 MR. SWANSON: And 36 will be the 2014 hold
6 in the State of Mississippi v. Johnson & Johnson
7 and Johnson & Johnson Consumer Companies, Inc.
8 case.

9 (Whereupon, Plaintiff's Exhibit 36 was
10 marked for identification.)

11 BY MR. SWANSON:

12 Q. And, again, if you look at these, and you
13 can go ahead and look at them, each of these
14 notices in 2014, they relate -- related to
15 Johnson's Baby Powder and Shower to Shower
16 products; correct?

17 A. Well, Estrada is only baby powder.

18 Q. Okay.

19 A. The other two from 2014 mention both
20 products.

21 Q. Okay. Thank you.

22 And, again, there's a recipient or a
23 distribution list in terms of what operating units
24 or companies received this, correct, these three
25 holds?

1 A. Well, this is a sector-based distribution.

2 Q. Okay. And these were just domestic
3 companies that received these holds; correct?

4 A. Yes.

5 Q. So this was not issued to Johnson &
6 Johnson Philippines or Johnson & Johnson Hong
7 Kong; correct?

8 A. Correct.

9 Q. Or Johnson & Johnson Korea, correct, if
10 there was a Johnson & Johnson --

11 A. Correct.

12 Q. -- Korea at that time?

13 MR. SWANSON: And then finally we have
14 here a 2017 hold, which we'll mark as Exhibit 37.

15 (Whereupon, Plaintiff's Exhibit 37 was
16 marked for identification.)

17 BY MR. SWANSON:

18 Q. I'll go ahead and hand you that one. And
19 this is what you've referred to in Exhibit 21 your
20 summary list of holds as talc asbestos. You say
21 "PL litigation."

22 What does that stand for?

23 MR. COX: Object to the form.

24 THE WITNESS: My understanding is that
25 that is a product liability. But this is not that

1 one.

2 BY MR. SWANSON:

3 Q. Oh, this isn't. Okay. Well, this is the
4 talc ovarian cancer litigation hold that I handed
5 you; correct?

6 A. Yes.

7 MR. SWANSON: Chris, do you have a copy of
8 this other one?

9 MR. COX: It should be in the binder, 1C.

10 MR. SWANSON: Thank you.

11 MR. COX: Sure.

12 MR. SWANSON: Appreciate that.

13 BY MR. SWANSON:

14 Q. Well, let's just -- since I've attached
15 this 37, this legal hold, was it -- that's
16 attached as 37 as a talc ovarian cancer litigation
17 hold; correct?

18 A. Yes.

19 Q. Do you know what year -- is this the
20 current -- this is the current one?

21 A. This is the most recent one for ovarian
22 cancer of which I'm aware.

23 Q. Okay. And if you look at Exhibit 1A to
24 your deposition, which is Tab 1A, we can go to the
25 one that you referred to in your list as the talc

1 asbestos litigation hold.

2 Do you have that in front of you?

3 A. Yes, I do.

4 Q. Is this the current legal hold for talc
5 asbestos litigation?

6 A. This is the most recent one I've received
7 that I'm aware of.

8 Q. And I don't know if you use this word, but
9 I think you indicated earlier that your
10 understanding was this was sort of an attempt to
11 consolidate the various holds; is that right?

12 A. With respect to those mesothelioma-related
13 matters, yes.

14 Q. Now, in terms of what information is being
15 held either under ovarian talc litigation hold or
16 a case that was a talcosis case like the
17 Krushinski case, these are all holds since 1999
18 that we're talking about that are related to the
19 Johnson & Johnson's Baby Powder and Shower to
20 Shower; correct?

21 A. Yes.

22 Q. And -- so in terms of the sort of universe
23 of documents, types of documents and records that
24 would be held, it's pretty much the same universe,
25 correct --

1 MR. COX: Object to the form.

2 BY MR. SWANSON:

3 Q. -- from what your evaluation of these
4 holds has been in terms of looking at what records
5 and information are supposed to be held?

6 MR. COX: Object to the form.

7 THE WITNESS: I -- I would concur that the
8 body of documents being held generally relates to
9 both families of cases. I would not agree that
10 every document from one family is connected to the
11 other family of cases. I -- I'm not competent to
12 decide that, but they are being held. Both --
13 both sets of holds concern a body of information.

14 BY MR. SWANSON:

15 Q. Right. And the body of information is
16 about -- in terms of what's actually being held,
17 people are being instructed to hold and preserve,
18 it's essentially almost the exact same body of
19 information; correct?

20 A. Yes.

21 MR. COX: Object to the form.

22 BY MR. SWANSON:

23 Q. Okay. Now, the 2017 talc asbestos
24 litigation hold is the first one that specifically
25 references talc, but there were prior holds that

1 were issued in cases where the injury being
2 alleged was mesothelioma; correct?

3 A. I'm sorry. The first one that references
4 talc?

5 Q. No. Did I say that? If so.

6 It's the first one that specifically
7 references asbestos; is that right? From what you
8 saw?

9 A. You know, I don't recall that. I did not
10 look for the word "asbestos" in earlier holds.

11 Q. Okay. But in any case, regardless, the
12 2000 and 2002 to 2003 holds were done in cases
13 where there was an allegation of mesothelioma by
14 the plaintiff; right?

15 A. Yes.

16 Q. And this talc asbestos litigation hold,
17 the current one that we have here, or the most
18 recent one you're aware of, what Johnson & Johnson
19 entities is that one directed to?

20 A. This hold notice is directed at individual
21 custodians rather than specific entities.

22 Q. And is there a list of custodians anywhere
23 that you've seen that this is directed to?

24 A. Not that I've seen.

25 Q. Have you -- do you have information about

1 at which Johnson & Johnson -- you know, operating
2 units, subsidiaries, divisions, companies -- at
3 which of those companies individuals were
4 recipients of this current hold notice?

5 A. Only that the legal department has made a
6 determination of the appropriate custodians to
7 deliver the notice to.

8 Q. Do you know if any of those custodians are
9 at Johnson & Johnson Philippines?

10 A. Yes.

11 Q. Okay. And as far as you -- and who is
12 that individual or individuals at Johnson &
13 Johnson Philippines?

14 A. I -- I'm not aware.

15 Q. But you got information from some source
16 that Johnson & Johnson -- somebody at Johnson &
17 Johnson Philippines received this notice; is that
18 correct?

19 A. Yes.

20 Q. And what's the source of that information?

21 A. You mean how did I learn that?

22 Q. Yes.

23 A. From counsel.

24 Q. Okay. And based on our review of the
25 prior notices, was this the first notice that

1 Johnson & Johnson issued legal hold notice for
2 talc litigation issued to Johnson & Johnson
3 Philippines?

4 A. It's the first I'm aware of.

5 Q. Now, you saw in the 2014, in the prior
6 ones going back, there was no indication that it
7 went to Johnson & Johnson Philippines. In fact,
8 the distribution list from 2014 and 2009
9 specifically showed that it was not distributed to
10 Johnson & Johnson Philippines; correct?

11 A. In 2009 it specifically showed that. In
12 2014 it simply denoted "US," "OUS." It didn't
13 have a country-by-country listing.

14 Q. Okay. If you look at -- if you don't have
15 those in front of you -- I think you do.

16 If you look at 34, for example, 35?

17 A. Yes.

18 Q. It says "U.S. only"; right?

19 A. Correct.

20 Q. So those don't -- they did not go to
21 Johnson & Johnson Philippines; correct?

22 A. They didn't go outside the U.S.

23 Q. Right. That was all I was confirming.
24 Okay. And that would be the same -- did this
25 2' -- the current Johnson & Johnson talc

1 litigation -- talc asbestos litigation hold, go to
2 Johnson & Johnson Hong Kong?

3 A. Individuals in Hong Kong.

4 Q. And where did you learn that?

5 A. From counsel.

6 Q. Did it go to Johnson & Johnson China?

7 A. I don't know.

8 Q. Okay. And when did it go to Johnson &
9 Johnson Philippines?

10 A. Well, as I mentioned, it didn't go to an
11 entity; it went to individuals in those areas.
12 And that was on May 26th of 2017.

13 Q. And was the -- is that the date that that
14 hold was issued?

15 A. Yes.

16 Q. And do you specifically know that it went
17 to those individuals on that date, at Johnson &
18 Johnson Philippines and Hong Kong?

19 A. I know that the -- the -- I don't know
20 that specifically. I know that the hold -- the
21 custodians were notified on that date. I have no
22 reason to believe that the Philippines or any
23 other area were treated differently.

24 MR. SWANSON: Are you okay to continue
25 some more?

1 I mean, you guys tell me, because I'm --
2 I'm moving right along, but.

3 THE WITNESS: I thought that was a good
4 stopping point, but I -- I --

5 MR. SWANSON: Well, I mean, you know,
6 since we do have a little bit of an issue here
7 about when we're going to finish tomorrow, I
8 certainly --

9 MR. COX: Are you about to start a new
10 topic?

11 MR. SWANSON: It's related, but it's
12 getting into an area that's going to take some
13 time.

14 MR. COX: Why don't we go off the record,
15 let's talk for a couple minutes, and we'll see.

16 MR. SWANSON: All right. Let's go off the
17 record.

18 THE VIDEOGRAPHER: Off the record at 5:47.

19 (Off the record.)

20 THE VIDEOGRAPHER: On the record at 6:01.
21 You may continue, Counsel.

22 MR. SWANSON: So we have an agreement
23 about tomorrow's deposition and the conclusion of
24 the deposition, and Mr. Cox will state that for
25 the record, and if there's anything I disagree

1 with, we'll hammer it out.

2 MR. COX: Yes. First, the Johnson &
3 Johnson defendants object to the continuation of
4 the deposition given the two days of testimony of
5 this witness has already sat for, given the number
6 and nature of the subject matters for which this
7 witness has been tendered, and the limited
8 relevance to the claimed defenses in the case, we
9 don't believe additional time is necessary or
10 appropriate.

11 Nevertheless, in the spirit of compromise,
12 as Mr. Swanson indicated, because the witness and
13 counsel are here, we've agreed to continue the
14 deposition tomorrow under the following
15 circumstances: The deposition will begin at
16 9:00 a.m. There will be reasonable breaks.
17 Plaintiffs will conclude their questioning by
18 1:45 p.m. at which time the J&J defendants will
19 have an opportunity to ask direct -- pose the
20 direct testimony from the witness and after which
21 plaintiffs will be permitted a recross that's
22 limited to the issues raised on the direct.

23 MR. SWANSON: That's our agreement, yes.

24 We can go off the record.

25 THE VIDEOGRAPHER: The marks the end of

1 Media Number 5 in the deposition of James
2 Mittenthal and we are going off the record and
3 adjourning for the day at 6:02 p.m.

4
5 (Whereupon, the deposition was
6 adjourned at 6:02 p.m.)
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1 STATE OF CALIFORNIA)
2) ss.
3 COUNTY OF ALAMEDA)
4

5 I, EARLY LANGLEY, a Certified Shorthand
6 Reporter, State of California, do hereby certify:

7 That JAMES PETER MITTENTHAL, in the foregoing
8 deposition named, was present and by me sworn as a
9 witness in the above-entitled action at the time and
10 place therein specified;

11 That said deposition was taken before me at
12 said time and place, and was taken down in shorthand by
13 me, a Certified Shorthand Reporter of the State of
14 California, and was thereafter transcribed into
15 typewriting, and that the foregoing transcript
16 constitutes a full, true and correct report of said
17 deposition and of the proceedings that took place;
18 IN WITNESS WHEREOF, I have hereunder subscribed my hand
19 on October 22, 2018.

20
21 
22 EARLY LANGLEY, CSR NO. 3537
23 State of California
24
25

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Additional Investigation Regarding Scope of Searches Conducted Mid-2018 for Category 3 and 4 Methods

CATEGORY 1: TARGETED SEARCHES OF GLOBAL PRODUCTION – RELATIVITY

CATEGORY 2: RE-FILTERING OF PREVIOUSLY COLLECTED UNPRODUCED MATERIAL - NUIX

CATEGORY 3: ADD'L SEARCHES OF COMPANY SOURCES

CATEGORY 4: FIRST TIME SEARCHES OF COMPANY SOURCES

Case	Request	Cat	Interviewee	People Consulted	Areas Searched	Search Criteria	What was Found	Extract Format
Leavitt	Trade org payments: Set 3, #44	4	PDowns	Corporate: Martina Scheich (dir of global compliance and procurement) - enterprise procurement, phone interview	SAP and Cognos (for pre-2010), had 20 years available to search between the two	by name of organization set up in AP system; no date restrictions	payments from Consumer, shared services, and corporate	exports to Excel
Leavitt	Industrial hygiene: Set 3, #46	3	PDowns	Corporate: Vivian Pai – dir of WW environment health and safety; Reid Holbrook – dir of safety and industrial hygiene	Looked for missing information from earlier archive searches – departmental share	Knowledge of file names and keywords for talc and asbestos	Additional versions of policies and procedures	MS Office documents
Leavitt	US Navy (1965-68 time frame): Set 7, #108, 110-111, 114-115, 119-121	4	PDowns	<i>Philippines:</i> Tina Alvarez, Dir of Legal Alvin Quilatan Medel Mag-Isa <i>Non-Philippines:</i> Joahne Carter James Hallenbeck	Philippines US customer dev No applicable sources identified	N/A	N/A	N/A
Leavitt	Philippines: Set 7, #109, 112, 113, 116-118, 122-124	3	PDowns	Tina Alvarez Alvin Quilatan Medel Mag-Isa Anne Rache Dandan Dane Gilmore Dina Wang Edward Li George Power Justine Ann Gaurino-Aruta Mark Zappa Nicholas Zhu Patricia Ann Cambel	Originally searched 1970 to present, then later circled back to check specific Leavitt ranges	Offsite storage index maintained in Excel by Philippines Records mgr, reviewed by Tina	Nothing new found beyond original Delacruz search	N/A



Case	Request	Cat	Interviewee	People Consulted	Areas Searched	Search Criteria	What was Found	Extract Format
				Pearl Kuok Stephen Tiu				
Leavitt	Workers comp: Set 7, #125	4	PDowns	Erin Sheridan, sr mgr, risk mgt, corporate / Broadspire (third party ins. that J&J uses)	All available claim files in Broadspire system and generated Excel summaries	Claim types and key words	New material	Report output in paper and PDF as well as attachments
Leavitt	Trademark: Set 1, #5	3	PDowns	Jennifer Mahoney, trademark para, corporate	Trade applications kept in law dept share drive	Product name	New material	MS Office documents
Leavitt	Packaging specs: Set 1, #6	3	PDowns	Patrick Tsai, GSS team; "Manager 1", R&D	GSS and TRU, both Consumer systems		New material	
Leavitt	Print / radio/TV ads: Set 1, #10-12	3	PDowns	Sarita Finnie – sr mkting dir, Baby Care; Margaret Gurowitz – J&J Chief Historian	Zonza – digital asset mgt system at consumer; TMS at the Museum; BBDO archive (outside agency)	Product name	Nothing new at museum; collected new material from museum and Zonza	MS Office docs from BBDO; Digital assets from Zonza
Leavitt	Other products (e.g., Micatin): Set 3, #29-31	3	PDowns	RLawson	ERMS	See search term list	Factbooks, Auth for Prod Release (APR), ads, specs	Paper documents
Leavitt	Org charts: Set 3, #22, 27, 38, 43	3	PDowns	RLawson	Workday (enterprise?)	By custodians who would have been on org chart	1 org chart	PDF
Leavitt	Trade orgs: Set 3, #44	3	PDowns	RLawson	ERMS	Name of org	Small number of docs	Paper
Leavitt	"Asbestos": Set 3, #37-49	3	PDowns	RLawson	ERMS	Search terms	Facility-related docs re: abatement	Paper
Fong	Hong Kong: Set 1: #4-15, 25-31	4	PDowns	Quality supply chain, legal, in US, Hong King, Singapore	Had already searched GSS and TRU; reviewed offsite storage indexes and any electronic listings	Info regarding the entity that sold the product during time frame; mines that supplied; mfr;	Nothing found in time frame	N/A

Case	Request	Cat	Interviewee	People Consulted	Areas Searched	Search Criteria	What was Found	Extract Format
						distributors; all specs including labels, warning, advertisements, testing, packaging; sales data		
Fong	World Talc Surveys (*): Set 3, #50-52	3	PDowns	RLawson, MZappa	ERMS; no additional sources ID'd beyond previous collections	Various survey and monitoring-related search terms	No additional documents	N/A
Leavitt	Annual reports: Set 3, #39	4	LGiacino	Corporate Secretary: Tina French (asst corp secty) Public Relations Controller's Office	Walk-in vault for law dept: 3 hole punch binders for each year Public Relations and Controller's office and received a couple www.sec.gov	All annual reports		Paper and PDFs
Leavitt	10K Filings: Set 3, #40	4	LGiacino	Corporate Secretary Controller's Office	Newer 10Ks online Older 10Ks in vault or file cabinets	All 10K filings	Online and paper versions, including one or two obtained from Controller's office	Paper and PDFs
Leavitt	Histories: Set 3, #41	4	LGiacino	Corporate Relations Corporate Secretary's Office Office of the Company Historian	Hardcopy and electronic materials from these sources	Manual search	Book by Lawrence G Foster Other published material by Corp Relations	Paper and PDFs
Leavitt	Corp Structure documents e.g., re: asset transfer, who were	4	LGiacino	Corporate Secretary	CEMS (***) Standardized materials on L drive Online SEC filings	Individual selections from within applicable CEMS sections	Meeting minutes, filings, etc.	PDFs

Case	Request	Cat	Interviewee	People Consulted	Areas Searched	Search Criteria	What was Found	Extract Format
	officers, etc.: Set 1, #1, Set 4, #53- 55, 57-61							
Leavitt	Secty of State filings re: name changes: Set 4, #52	4	LGiacino	Corporate Secretary	Electronic request to state of NJ Scanned minute books on L drive	Manual search and requests to State of NJ for changes	Filings	Paper and PDFs

* International program in 70s, 80s, 90s to assess talc sources and harmonize them for business purposes

** Laura Giacino: Office of the Corporate Secretary – reports to Tom Spellman

*** Corp Entity Mgt System – Web based system owned by Diligent; covers current and historical companies and keeps corporate info on each; Laura and colleague Linda King input the info – corp structure output based on this information

Matter	Date	Product(s)	Claim
Theresa Krushinski v. JJCP	11-Nov-99	Johnson's Baby Powder	Talcosis
Barbara Bloch, individually and as Executrix of the Estate of Ronald J. Bloch v. JJCP, et al.	7-Jan-00	Johnson's Baby Powder	Mesothelioma
Hozeny v J&J Consumer Companies, Inc.	16-May-03	talc products	Mesothelioma
Deane Berg v Johnson & Johnson Consumer Companies, et al.	15-Dec-09	Johnson's Baby Powder/Shower to Shower	Ovarian cancer
Chesteen, Molly & Randy v J&J Consumer Companies	6-Feb-14	J&J Baby Powder/Shower to Shower	Ovarian cancer
Mona Estrada v. Johnson & Johnson and Johnson & Johnson Consumer Companies, Inc.	14-May-14	Johnson's Baby Powder	Ovarian cancer
State of Mississippi v. Johnson & Johnson and Johnson & Johnson Consumer Companies, Inc.	19-Sep-14	Johnson's Baby Powder/Shower to Shower	Ovarian cancer
TALC OVARIAN CANCER PL LITIGATION	26-May-17	Johnson's Baby Powder/Shower to Shower	Ovarian cancer
TALC ASBESTOS PL LITIGATION	26-May-17	Johnson's Baby Powder/Shower to Shower	Mesothelioma



MITTENTHAL – LEAVITT/FONG DEPOSITION TOPICS

1. DEFENDANT's RECORD RETENTION POLICIES.

- *Leavitt RFP #14 (Set 3) (Leavitt Tab 3J)*
- *Fong Standard Rog #1 (Fong Tab 3A)*
- *Fong RFP Request #36, 37 (Set 1) (Fong Tab 3C)*
- Materials
 - 2017 WWRIM Policy (Tab 2B)
 - 2015 WWRIM Policy (Tab 2A)
 - WWRIM Enterprise Retention Schedule (Tab 2C)
 - Franchise-Level Record Retention Schedules
 - 1997 (Loose)
 - 2001 (Loose)
 - 2002 (Loose)
 - 2004
 - 2007
 - 2010
 - 2011
 - 2015 (Tab 2E)
 - 2017 (Tab 2F)
 - Supplier Quality Agreements (Tab 2D)

2. All INDEXES and/or database for DOCUMENTS contained and/or previously contained in DEFENDANT's DOCUMENT REPOSITORY (IES).

- *Leavitt RFP #15 (Set 3) (Leavitt Tab 3J)*
- Materials
 - Custodian List (Tab 3)
 - Non-custodial sources list (Tab 4)
 - Three lists of search terms
 - Archives Search Terms (Tab 6)
 - Filter Terms (Tab 7)
 - "NR" Spreadsheets Search Terms (Tab 8)
 - Interview notes

3. What search terms and/or parameters, electronic and manual, can be used to identify and locate DOCUMENTS in DEFENDANT's DOCUMENT database. DOCUMENT REPOSITORIES.

- *Leavitt RFP #16 (Set 3) (Leavitt Tab 3J)*
- Materials
 - Custodian List (Tab 3)



- Non-custodial sources list (Tab 4)
- Three lists of search terms
 - Archives Search Terms (Tab 6)
 - Filter Terms (Tab 7)
 - “NR” Spreadsheets Search Terms (Tab 8)
- Interview notes

4. What efforts were made to locate DOCUMENTS responsive to plaintiff's requests herein above, as well as searches for DOCUMENTS responsive to Plaintiffs' Requests for Production of Documents in this matter.

- Materials
 - Responses to RFPs (generally)
 - Spreadsheets that were exhibits to RFPs
 - Leavitt and Fong production summaries
 - Custodian List (Tab 3)
 - Non-custodial sources list (Tab 4)
 - Three lists of search terms
 - Archives Search Terms (Tab 6)
 - Filter Terms (Tab 7)
 - “NR” Spreadsheets Search Terms (Tab 8)
 - Interview notes

5. The genuineness or authenticity of DOCUMENTS produced by DEFENDANT in response to requests herein above, as well as DOCUMENTS produced by DEFENDANT in response to Plaintiffs' Requests for Production of Documents in this matter.

6. Whether DOCUMENTS produced by DEFENDANT in response to requests herein above, as well as DOCUMENTS produced by DEFENDANT in response to Plaintiffs' prior Requests for Production of Documents in this matter, are business records.

- Materials
 - Custodian list (Tab 3)
 - Non-custodial sources list (Tab 4)

7. Whether DOCUMENTS produced by DEFENDANT in response to requests herein above, as well as DOCUMENTS produced by DEFENDANT in response to Plaintiffs' prior Requests for Production of Documents in this matter, were produced as they were kept in the usual course of business.

- *Leavitt Request to Admit Generally (Set 1) (Leavitt Tab 3P)*

- Materials
 - Custodian list (Tab 3)
 - Non-custodial sources list (Tab 4)

- Production summaries for Leavitt and Fong

8. The chain of custody of DOCUMENTS produced by DEFENDANT in response to requests herein above, as well as DOCUMENTS produced by DEFENDANT in response to Plaintiffs' prior Requests for Production of Documents in this matter.

- *Leavitt Rog #22, 29, 34 (Set 3) (Leavitt Tab 3J)*
- Materials
 - ESI protocols (Tab 9)
 - MDL (Tab 9A)
 - Hogans (Tab 9B)
 - Materials produced in Leavitt/Fong (metadata fields)
 - 9/28/17 Letter to MDL Court (Tab 10)
 - Custodian list (Tab 3)
 - Non-custodial sources list (Tab 4)

9. Litigation holds DEFENDANT put on DOCUMENTS related to the marketing, sale, and testing (including testing of talc) of Johnson's Baby Powder.

- Materials
 - November 1999 Krushinski hold notice (Loose)
 - January 2000 Bloch hold notice (Tab 1C)
 - May 2003 Hozeny hold notice (Tab 1B)
 - December 2009 Berg hold notice (Loose)
 - February 2014 Chesteen hold notice (Loose)
 - May 2014 Estrada hold notice (Loose)
 - September 2014 State of Mississippi hold notice (Loose)
 - May 2017 Consolidated Talc Ovarian Cancer PL hold notice (Loose)
 - May 2017 Consolidated Talc Asbestos PL hold notice (Tab 1A)

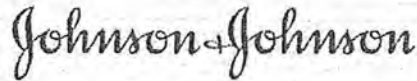
10. DEFENDANT'S efforts to preserve DOCUMENTS related to the marketing, sale, and testing (including testing of talc) of Johnson's Baby Powder.

- Materials
 - WWRIM policies (Tab 2A and Tab 2B)
 - WWRIM ERS (Tab 9)
 - Franchise-Level Record Retention Schedules
 - 1997 (Loose)
 - 2001 (Loose)
 - 2002 (Loose)
 - 2004
 - 2007
 - 2010
 - 2011
 - 2015 (Tab 2E)

- 2017 (Tab 2F)
- See Topic 9

11. DEFENDANT'S efforts to preserve evidence of testing of Johnson's Baby Powder and talc used in the manufacture of Johnson's Baby Powder.

- *Fong RFP Request #66 (Set 4) (Fong Tab 3F)*
- *Leavitt RFP Request #95 (Set 5) (Leavitt Tab 3L)*
- Materials
 - Supplier Quality Agreements (Tab 2D)
 - MDL Sample Protocol (Tab 5)
 - See Topic 9



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Worldwide Records and Information Management Policy

Policy Records and Information shall be created, valued, protected, managed, and disposed in accordance with applicable laws, regulations and the requirements of the *Worldwide Records and Information Management Policy and Standards* and other applicable Johnson & Johnson policies.

Scope

This Policy specifies requirements for the management, retention, and disposition of Records and Information in all formats and every medium including electronic information.

Purpose

Johnson & Johnson recognizes that Records and Information are valuable resources and important business assets. This Policy, along with associated WWRIM Standards, defines the requirements for managing the Records and Information assets of Johnson & Johnson in accordance with legal, privacy, regulatory and business requirements. This Policy and associated WWRIM Standards assure the appropriate creation and management of authentic, reliable, and useable Records and Information capable of supporting business functions and activities for as long as they are required.

Responsibilities

Worldwide Records and Information Management is responsible for the overall governance and strategic direction for the Records and Information Management Programs of the Johnson & Johnson Family of Companies.

The Johnson & Johnson Operating Companies are responsible for the implementation and ongoing maintenance of a Records and Information Management program in compliance with this Policy and associated WWRIM Standards to manage their Records and Information.

Definitions

Records and Information: Any form of recorded information created, maintained or received by Johnson & Johnson in the conduct of its business operations and activities for use at a later time. Records and Information include, but are not limited to, documents concerning the Johnson & Johnson organization, business functions, policies, decisions, procedures, operations, and internal or external transactions that are created and retained for business or legal reasons. The form of Records and Information includes, but is not limited to, paper, electronic, audiovisual material, books, microfilm, microfiche, photograph, map, magnetic or optical disk or tape, software, video, or other recorded information.

Disposition: A final administrative action taken with regard to records, including disposal, transfer to another entity, or permanent preservation.

Enterprise Retention Schedule: A comprehensive list of Functional Business Categories, including example record types and retention requirements to be used across J&J globally.

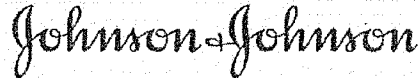
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Legal Hold: A communication issued as a result of current or reasonably anticipated litigation, audit, government investigation or other such matter that suspends the normal disposition or processing of records.

Standard: A governance document that specifies the mandatory requirements of a program activity.

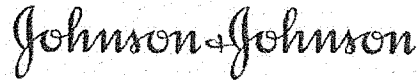
Compliance

All Johnson & Johnson Operating Companies and their associates shall comply with this Policy and associated WWRIM Standards.

Provisions

1. The Records and Information Management requirements, as defined by this Policy and associated WWRIM Standards, are to be applied consistently and regularly.
2. Records and Information shall be created, stored and managed using proper protection and allowing for future access.
 - 2.1. Records and Information shall be protected, and access to them controlled according to their value as described in the *Information Asset Protection Policies* (IAPPs) and other applicable Johnson & Johnson policies.
 - 2.2. Records and Information shall be classified throughout their lifecycle in a manner that allows future authorized access and use.
3. Records and Information shall be retained in accordance with the *Johnson & Johnson Enterprise Retention Schedule* and in accordance with applicable Legal Holds. When a Record or Information retention requirement is reached, it shall be disposed of in accordance with this Policy and associated WWRIM Standards, and in compliance with Operating Company procedures.
4. Records and Information relevant to litigation or an investigation and subject to a Legal Hold as issued by the Johnson & Johnson Law Department shall be retained and preserved until further notice from the Law Department, regardless of the retention requirement set forth in the *J&J Enterprise Retention Schedule*.
5. Disposition of Records and Information may include, but is not limited to, disposal or deletion. Disposition of Records and Information shall be conducted in a systematic and routine basis during the course of normal business activity subject to the following requirements:

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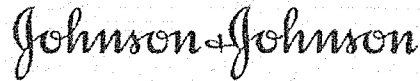


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- 5.1. Inactive Records and Information may be transferred to the Operating Company's designated inactive records storage site for long-term storage to fulfill retention requirements;
 - 5.1.1. Records and Information transferred to the Operating Company's designated inactive records storage site shall be managed with appropriate procedures to ensure availability for future business, litigation, and investigation purposes, as necessary;
 - 5.1.2. Records and Information subject to a Legal Hold that are no longer required for day-to-day business operations may be transferred to an appropriate inactive storage site for preservation in coordination with the Johnson & Johnson Law Department and in compliance with paragraph with this policy.
6. Operating Company Records and Information that are considered "vital" (i.e. fundamental to the functioning of an organization and necessary to continue operations without delay under abnormal conditions) shall be identified and protected in accordance with this Policy, associated WWRIM Standards and Operating Company procedures.
7. Operating Company Records and Information in the possession of a departing associate, vendor, external business partner, consultant or contractor, shall be managed as follows:
 - 7.1. When an employee leaves Johnson & Johnson or transfers to another Operating Company or department, he or she shall ensure their Records and Information are handled appropriately, including reviewing and determining disposition for records in their custody. All records that must be retained shall either be transitioned to the associate's supervisor or another authorized individual. In the event this task is not performed prior to departure, the supervisor is responsible for ensuring the departing associate's Records and Information are managed in accordance with this Policy and associated WWRIM Standards;
 - 7.2. Records and Information in the possession of a vendor, external business partner, consultant or contractor upon termination of contract shall be transferred to the sponsoring Operating Company and managed in accordance with this Policy and associated WWRIM Standards.

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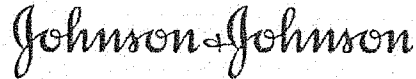
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Worldwide Records and Information Management Policy

8. The Operating Company's Records Manager, or designee, shall conduct internal department assessments within their Operating Company for compliance with this Policy and associated WWRIM Standards and Operating Company procedures.
9. The requirements of this Policy and associated WWRIM Standards shall be communicated to, and incorporated into training for, Operating Company associates.
10. Where appropriate, requirements of this Policy and associated WWRIM Standards shall be incorporated into contracts with those vendors, external business partners and consultants or contractors requiring access to Johnson & Johnson Records and Information during the course of the contract. If contract changes create a need for such access and the contract lacks the proper Records and Information Management requirements, they shall be added.
11. Disaster recovery backups shall be created solely for the purpose of accessing and recovering data in the event of a disaster and shall not be used for maintaining records for normal business purposes.

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About the WWRIM Policy and Standards

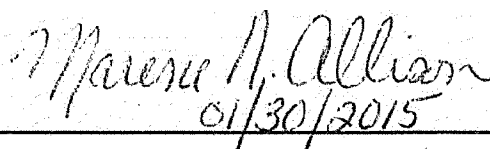
The *Worldwide Records and Information Management Policy and Standards* are maintained by the Worldwide Records and Information Management Program Office. The most current version of this Policy and the WWRIM Standards are available on WWRIM site.

- RIMS-1 Records and Information Management Program Standard
- RIMS-2 Convenience Information Standard
- RIMS-3 *Records Clean-up Event Standard (Retired)*
- RIMS-4 Historic Records Preservation Standard
- RIMS-5 Inactive Records and Information Storage Standard
- RIMS-6 Litigation Support Standard
- RIMS-7 Management of Records and information for Facility Closures and Divestitures Standard
- RIMS-8 Management of Records and Information for Mergers and Acquisitions Standard
- RIMS-9 Management of Records and Information of Departing Associates Standard
- RIMS-10 Records and Information Management Compliance Assessment Standard
- RIMS-11 Training and Education Standard
- RIMS-12 Enterprise Retention Schedule Standard
- RIMS-13 Vital Records Standard
- RIMS-14 Management of Records for System Decommissioning Standard
- RIMS-15 Management of Electronic Records and Information Standard
- RIMS-16 Records and Information Archiving Standard
- RIMS-17 Disaster Recovery Backup Retention Standard
- RIMS-18 Electronic Messaging Standard

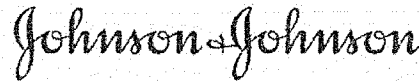
Approved by

Marene Allison
Vice President, Worldwide Information Security

Review and Approval

Title	Name	Signature
Vice President, Worldwide Information Security Information Technology Services	Marene Allison	 01/30/2015

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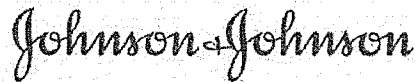
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Revision History

WWRIM Policy v4.0	31 December 2014	<ul style="list-style-type: none"> Changed RIMS-12 Title – from "Records Retention Schedule" to "Enterprise Retention Schedule." Changed throughout – "RRS" and/or "GRRS" to "ERS." Changed throughout – "destruction" to "disposal." Modified "About the WWRIM Policy and Standards" paragraph for clarity.
WWRIM Policy v3.0	31 December 2013	<ul style="list-style-type: none"> Changed throughout – "Document Hold" to "Legal Hold." Where applicable changed throughout "employee" to "associate." Changed the title of RIMS -10 from "audit" to "assessment" and references throughout the standard. Paragraph [2] Removed- sentence redundant, tied in with Paragraph [3]. Paragraph [5.2] Removed - reference to inactive records storage. Paragraph [former 6.1] Removed- condensed with Paragraph [6]. Paragraph [7.1] Added - "sponsor." Paragraph [11] Removed "tapes" and clarified wording. Retired RIMS-3 Records Clean-up Event. J&J has changed its philosophy on annual clean-ups. Associates shall independently manage their records and information during the normal course of business.
WWRIM Policy v2.0	31 January 2011	<ul style="list-style-type: none"> Paragraph [5.2.2] – Changed from "no longer required for business purposes" to "no longer required for day-to-day business operations." Paragraph [7:1] - Adjusted requirement to show employee's responsibility to review and disposition their records in a departure situation Minor revision to title of RIMS-3
WWRIM Policy v1.1	30 September 2009	<ul style="list-style-type: none"> Modified final page to include Standards
WWRIM Policy v1.0	31 July 2009	<ul style="list-style-type: none"> New Document Issued

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WWRIM Standard RIMS-1
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Worldwide Records and Information Management Records and Information Management Program Standard

1. Purpose

The purpose of this standard is to provide the minimum requirements for the establishment and implementation of a comprehensive Records and Information Management (RIM) program by each Johnson & Johnson Operating Company. Each program shall be implemented in a manner that conforms to the Johnson & Johnson *Worldwide Records and Information Management Policy and Standards*.

2. Background

An effective RIM program ensures consistent and cost-effective management of records throughout their entire lifecycle. The manner in which a RIM program is implemented is determined by the organization's business needs, as well as legal and regulatory requirements for the organization. It is essential to use a systematic approach for managing records that provides the capability for accurate and timely retrieval, protection and preservation for the overall integrity and authenticity, and timely disposition when required. These elements serve to mitigate risks related to managing records and information.

3. Scope

This standard applies to all Johnson & Johnson Operating Companies.

4. Definitions

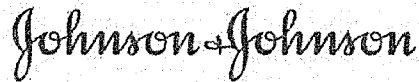
Reference terms used in this standard are found in the *Worldwide Records and Information Management Program Glossary*.

5. Responsibilities

5.1. Operating Company Management

The President/Managing Director/Head of each Johnson & Johnson Operating Company is responsible for the planning, implementation, and on-going compliance with the *Worldwide Records and Information Management Policy and Standards* through the establishment of a RIM program. This includes:

- 5.1.1. The Operating Company management will designate a Records Manager for the Operating Company;
- 5.1.2. Allocating adequate resources to implement and maintain their RIM program in accordance with WWRIM requirements;



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5.1.3. Providing guidance on priorities;

5.1.4. Maintaining oversight.

5.2. Operating Company Records Manager

The Operating Company Records Manager is the designated central point of contact for all RIM matters in the Operating Company or Companies for which he or she is responsible. This includes:

5.2.1. Implementing and maintaining an Operating Company-wide RIM program in compliance with the *Worldwide Records and Information Management Policy and Standards*;

5.2.2. Providing clear communications, documented guidelines and a current Legal Hold Notice report to educate on normal course of business practices for handling business records;

5.2.3. Developing Operating Company-appropriate RIM lifecycle procedures;

5.2.4. Ensuring appropriate training and awareness on RIM requirements is available and provided to Operating Company employees, vendors, and contractors in order to enable compliance with those requirements;

5.2.5. Complying with WWRIM requirements including but not limited to submitting annual reports to WWRIM, completing an annual program assessment, etc.;

5.2.6. Providing program updates on RIM activities to Operating Company Senior Management and the WWRIM Program Office;

5.2.7. Working with Operating Company business units/departments to create, implement, and maintain and build awareness of the Enterprise Retention Schedule;

5.2.8. Conducting or facilitating RIM Compliance assessments with the business units/departments within the Operating Company;

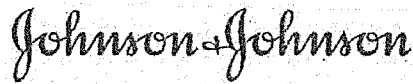
5.2.9. Implementing and managing RIM services such as inactive storage solutions and/or acquire such services and other RIM products provided by external vendors, as appropriate;

5.2.10. Partnering with various Johnson & Johnson departments, such as WWRIM, IT eDiscovery, Johnson & Johnson Law Department and Worldwide Privacy to ensure alignment.

5.3. Records Coordinator

The Records Coordinator role is intended to serve as a liaison between the Department/Business Unit and the RIM program in order to assist and support compliance with RIM requirements. The Operating Company may choose to refer to the Records Coordinator role by different names such as "Department Coordinator" or "Records Liaison". Operating

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Company management shall assign appropriate resources from each department (or other agreed-upon organizational unit) to act as the Records Coordinators. The Records Manager shall develop and maintain appropriate procedures around the identification, training, and maintenance of the individuals in the Records Coordinator role.

The Operating Company shall designate a Records Coordinator responsible for all locations or departments where it is feasible and practical to do so. In cases where a Records Coordinator is not assigned to a specific site or department, approval from Senior Management is required. If the Records Coordinator is not assigned any of the responsibilities set forth in paragraph 5.3, or if a location or department does not have a Records Coordinator, the Records Manager shall assume those responsibilities.

The Records Coordinator responsibilities include but are not limited to:

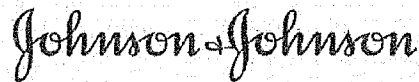
- 5.3.1. Ensuring that RIM requirements such as identification and labeling, and other routine activities and processes, are conducted within the department in conformance with WWRIM and local Operating Company requirements;
- 5.3.2. Serving as a local subject matter expert on RIM matters;
- 5.3.3. Coordination of the transfer of records to and from the approved inactive records storage facilities;
- 5.3.4. Coordination/acquisition of RIM services and supplies;
- 5.3.5. Participation/coordination of RIM Compliance Assessments for their Department/ Business Unit.

5.4. Johnson & Johnson Law Department

The Johnson & Johnson Law Department is responsible for:

- 5.4.1. Determining the scope of Records and Information subject to Legal Hold Notices issued pursuant to litigation or other legal or regulatory proceedings;
- 5.4.2. Identifying custodians of repositories likely to contain Records and Information responsive to a Legal Hold Notice;
- 5.4.3. Notifying, as appropriate, individual custodians and the Operating Company Records Manager of Legal Hold Notices, their scope, and their duties respecting them;
- 5.4.4. Providing a current Legal Hold Notice report on a semiannual basis to each Operating Company Records Manager;
- 5.4.5. Coordinating document preservation and other discovery activities with Operating Company Record Managers and IT eDiscovery;
- 5.4.6. The Operating Company Board Attorney, or designated Law Department representative responsible for supporting that Operating Company, is responsible for:

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5.4.6.1. Reviewing and accepting the Johnson & Johnson Enterprise Retention Schedule;

5.4.6.2. Reviewing any written procedures for the Operating Company's RIM program for which the Johnson & Johnson Law Department is specifically listed as an owner of responsibilities, including but not limited to:

- Legal Hold Notice procedures
- Acceptance of Legal Documents procedures

5.5. Operating Company People Supervisors

Operating Company people supervisors are responsible for supporting the RIM program by ensuring that their Associates have the appropriate tools, training, and information needed to comply with the requirements and procedures of the RIM program. They are also responsible for ensuring that records and information from departing personnel are managed in accordance with Operating Company procedures.

5.6. Worldwide Records and Information Management Program Office

The Worldwide Records and Information Management (WWRIM) Program Office is responsible for the overall governance and strategic direction for Records and Information Management across the Johnson & Johnson Family of Companies. This responsibility includes maintaining and publishing the *Worldwide Records and Information Management Policy and Standards*, and the *J&J Enterprise Retention Schedule*.

6. Minimum Implementation Requirements

6.1. Each Operating Company shall establish a RIM program that complies with all provisions of the *Worldwide Records and Information Management Policy and Standards*.

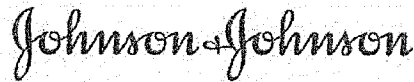
6.2. The primary governance component of the Operating Company RIM program shall have documented procedures for managing, tracking, protecting, storing, and disposing of both active and inactive Records and Information throughout their lifecycle regardless of format or medium.

6.2.1. Procedures shall address local Operating Company business requirements;

6.2.2. Procedures shall be formally reviewed and approved by Operating Company Senior Management (e.g., Director-level or higher);

6.2.3. Procedures shall be reviewed and updated on a biennial basis, at minimum, unless business changes require it sooner;

6.2.4. The most recent review and approval date shall be documented, even if no changes are made;



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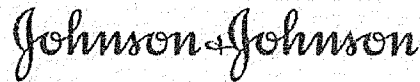
Records and Information Management Program Standard

- 6.2.5. Procedures may be supported, as appropriate, by work instructions, tools, and/or processes;
- 6.2.6. Procedures shall exist when regulatory or legal changes are anticipated;
- 6.2.7. The RIM program shall use a documented process to govern how and when changes to the program's procedures are made due to either regulatory or legal changes or to changes in the business.
- 6.3. The components of a compliant RIM program shall include:
- 6.3.1. Documented and approved procedures addressing the requirements of the WWRIM policy and standards as specified in paragraph 6.2 of this document;
- 6.3.2. Conducting or facilitating of compliance monitoring and assessments within the Operating Company, in accordance with the *WWRIM RIMS-10 Records and Information Management Compliance Assessment Standard*, to gauge Operating Company compliance with *Worldwide Records and Information Management Policy and Standards*, and to develop a plan of action to address any gaps in compliance;
- 6.3.3. Implementation of a procedure to ensure third-party vendors who create or manage Records and Information on behalf of the Operating Company are contractually bound and made aware of how to manage those Records and Information in compliance with the following requirements at minimum:
- 6.3.3.1. Records and Information created and managed by a third-party on behalf of the Operating Company shall be retained only as long as required by the J&J Enterprise Retention Schedule, or as required per an active Legal Hold;
- 6.3.3.2. Prior to final disposition, the third-party shall notify the Operating Company to ensure that arrangements are made to identify and preserve any Records and Information that may be relevant to a Legal Hold.

Revision History

Version 4.0	31 December 2014	<ul style="list-style-type: none">Removed paragraph [5.3.4] – no longer pertains to new ERS Standard.Paragraph [5.5] Clarified wording – condensed "employees and other personnel" to "Associates."Changed throughout – "Manager/Supervisor/Sponsor" to "Supervisor."Changed throughout Records Retention Schedule (RRS) to J&J Enterprise Retention Schedule.Paragraph [6.2.7] Clarified wording – process.Paragraph [6.2.3] former – Removed Boundary Agreements requirement.
Version 3.0	31 December 2013	<ul style="list-style-type: none">Changed throughout "Document Hold" to "Legal Hold".

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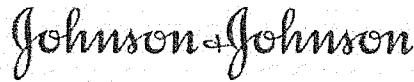
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Worldwide Records and Information Management

Records and Information Management Program Standard

		<ul style="list-style-type: none"> • Purpose [1] Added emphasizing wording. • Paragraph [5.1.1] Clarified wording – designation of a Records Manager. • Paragraph [5.2] Clarified wording- eliminated redundancy. • New Paragraph [5.2.2] Provide communication/guidelines for the handling of records during the normal course of business. • New Paragraph [5.2.10] Lists out the various Johnson & Johnson departments. • Paragraph and Note section at the end of [5.3] Combined and clarified wording. • New paragraphs [5.3.1- 5.3.2] Added additional Record Coordinator responsibilities. • New Paragraphs [5.4.4 – 5.4.5] Added additional Law Department and IT eDiscovery responsibilities. • Paragraph [5.5] Clarified wording- broadened the scope of "staff" • Paragraphs [6.2.1] Clarified wording- condensed redundancy. • Paragraph [former 6.2.2] Removed- unnecessary, as supported in the rest of 6.2. • Paragraph [former 6.2.7] Removed- reflected in [6.2.6]. • Paragraph [former 6.2.8] now [6.2.6] Clarified wording. Minor change • Paragraphs [former 6.3.2- 3, 4, 6, 7, 8] Removed-reorganized in concise manner in updates. • Paragraph [former 6.3.5] now [6.3.2] Clarified wording. Minor change
Version 2.0	31 January 2011	<ul style="list-style-type: none"> • Paragraph 5.4.2 – Changed Law Department responsibility : "Coordinating and conducting document preservation and other discovery activities" • Paragraph 5.4.3.1 – Removed review for "legal compliance" • Paragraph 5.4.3.2 – Clarified Law Department responsibility for specific reviewing procedures • Minor edits
Version 1.1	17 June 2010	<ul style="list-style-type: none"> • Change "biannual" to "biennial"
New Standard Version 1.0	30 Sept 2009	<ul style="list-style-type: none"> • New Document Issued

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WWRIM Standard RIMS-2
Version 4.0
31 December 2014
Effective – 01 April 2015

Worldwide Records and Information Management

Convenience Information Standard

1. Purpose

The purpose of this standard is to define Convenience Information and provide the requirements for managing, retaining, and disposing this type of information.

2. Introduction

Not all information created or received by Johnson & Johnson is a record, nor does all record material have an extended period of business use. Some information is instead created or maintained informally or for only local or personal purposes, and has little or no extended value beyond its immediate use. This kind of information is known as Convenience Information. Information may be considered Convenience Information if:

- it is a copy of a record maintained elsewhere and printed or otherwise captured for the use and convenience of a particular person;
- it is a record which has only transient or short-term business value and is not listed on the *J&J Enterprise Retention Schedule*; or
- it is non-record material maintained for short-term use.

3. Scope

This standard applies to all Johnson & Johnson Operating Companies.

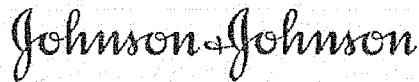
4. Definitions

Reference terms used in this standard are found in the *Worldwide Records and Information Management Program Glossary*.

5. Minimum Implementation Requirements

- 5.1 Convenience Information subject to a Legal Hold Notice shall be retained and preserved in accordance with this standard and the requirements of the Johnson & Johnson Law Department until further notice from the Johnson & Johnson Law Department.
- 5.2 When disposing of Convenience Information, care shall be taken to ensure that any Convenience Information containing elements of classified Johnson & Johnson information (as defined in *IAPP S-4 Worldwide Information Classification Policy*) is disposed of in a secure manner that prevents unauthorized disclosure of such classified information during or after the disposal process.
- 5.3 Convenience Information shall not be sent to off-site storage or be archived unless such information is being preserved in compliance with a Legal Hold Notice.
- 5.4 Convenience Information includes:
 - 5.4.1 Personal Working Files: Personal working files contain documents such as drafts (where a final version exists), rough notes, or revisions of paper or electronic records

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Effective – 01 April 2015

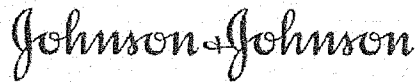
Worldwide Records and Information Management

Convenience Information Standard

used to create official signed documents. These documents shall be disposed of once a final document has been accepted and/or approved provided they are not subject to a Legal Hold Notice per paragraph 5.1.

- 5.4.2 **Transitory Correspondence:** Transitory correspondence is casual correspondence (including e-mails) often created for administrative purposes such as to facilitate meetings or for internal communications. These types of correspondence shall be disposed of after use provided they are not subject to a Legal Hold Notice per paragraph 5.1.
- 5.4.3 **Duplicate Copies:** Duplicate copies, where the record or information holder is not the owner of that record. These types of documents shall be disposed of after use provided they are not subject to a Legal Hold Notice per paragraph 5.1.
- 5.4.4 **Extra Copies:** Extra copies are duplicates of a document, usually a printed publication where there are many extra copies of the same document and the extra copies are preserved only for convenience of reference. Only the original master copy needs to be retained. These types of documents shall be disposed of when no longer of use provided they are not subject to a Legal Hold Notice per paragraph 5.1.
- 5.4.5 **Catalogs and Trade Journals:** Reference materials, catalogs, trade journals, bulletins, magazines, manuscripts, brochures, conference/seminar handouts, manuals, external newsletters, and supplier files that are external publications shall be disposed of when no longer of use provided they are not subject to a Legal Hold Notice per paragraph 5.1.
- 5.4.6 **Templates:** Blank document templates that have become obsolete and are no longer in use and if not admissible according to pertinent regulations shall be disposed of provided they are not subject to a Legal Hold Notice. Per paragraph 5.1.

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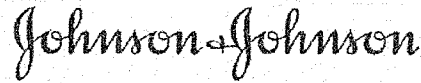
WWRIM Standard RIMS-2
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31 December 2014
Effective – 01 April 2015

Worldwide Records and Information Management Convenience Information Standard

Revision History

Version 4.0	31 December 2014	<ul style="list-style-type: none"> Changed throughout - "Operating Company Retention Schedule" to "J&J Enterprise Retention Schedule." Changed throughout - "period" to "requirement."
Version 3.0	31 December 2013	<ul style="list-style-type: none"> Changed throughout "Document Hold" to "Legal Hold". Introduction section- Added additional information to the paragraph and bullets to elaborate on the meaning of Convenience Information. Paragraph [former 5.1] Removed – information inherent within 5.2. Paragraph [5.3] Added additional wording- "as defined in IAPP S-4 Worldwide Information Classification Policy." Paragraph [5.3] Removed wording "disposed of in a secure manner." Paragraph [5.5.3] Removed wording- "exact copies of records and information without any notations or comments." Paragraph [former 5.5.4] Removed wording- "without any notations or comments." Paragraph [former 5.5.5] Removed as subparagraph and condensed into [5.4.5], see following note: Paragraph [5.4.5] Added -"Reference Materials." Paragraph [5.4.6] Removed wording- "Unused or blank templates that have not been filled out or completed". Replaced with "Blank document templates that have become obsolete and are no longer in use and if not admissible according to pertinent regulations."
Version 2.0	31 January 2011	<ul style="list-style-type: none"> Paragraphs [5.5.3] and [5.5.4] – Clarified language regarding what constitutes exact copies.
New Standard Version 1.0	30 September 2009	<ul style="list-style-type: none"> New Document Issued

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WWRIM Standard RIMS-4
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Effective – 01 April 2015

Worldwide Records and Information Management Historic Records Preservation Standard

1. Purpose

This standard establishes the criteria for preservation of those Records and Information that are determined by the Operating Company to be of historic value.

2. Background

The historic value of Records and Information pertains to the original and ongoing development of the organization, its mission, programs, products, major achievements, failures, significant events and personalities, and societal relationships.

3. Scope

This standard pertains to how the Operating Company Records and Information Management Department handles company information for historic purposes. It includes, but is not limited to, preservation of promotional and marketing materials, product displays, books, photographs, artistic renderings and audiovisual material in order to reflect progress in media and storage technology that is determined by the Operating Company to have historic value.

In Operating Companies where the formal responsibility for managing historic records does not reside within the Records and Information Management Department, the full responsibility and accountability for managing and protecting those historic records shall reside with the designated responsible department or entity. In those situations, this standard shall be considered as "guidance" for the designated responsible department or entity to follow.

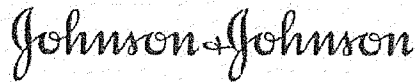
4. Definitions

Reference terms used in this standard are found in the *Worldwide Records and Information Management Program Glossary*.

5. Minimum Implementation Requirements

- 5.1. The Operating Company shall have documented criteria for determining the types of Records and Information that have historic value and implement procedures for maintaining these records in archival conditions.
- 5.2. Records and Information deemed as "historic" by the Operating Company Records and Information Management Department shall be presented to the Kilmer House Archivist for further determination of value. The Archivist shall determine where the Historic Record(s) should be housed.
- 5.3. The following data shall be recorded for each historic record that is accepted into archive for historic preservation:
 - Transferring office;
 - Date of transfer;

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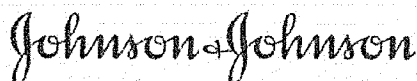


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Historic Records Preservation Standard

- Records title and other unique identifiers;
 - Date(s) associated with historic record;
 - Special instructions for archiving;
 - Description context and or background information if necessary;
 - Any origin associated with the record necessary or desirable to establish its historic status or provide context for it.
- 5.4. The Operating Company shall develop guidelines for the use of and access to historic Records and Information for research or legal purposes.
- 5.5. Historic Records and Information shall be preserved under environmental conditions appropriate for long-term preservation, in accordance with archival standards.
- 5.6. Historic electronic Records and Information preserved in digital format shall be stored on media that conforms to ANSI/ISO standards.
- 5.7. Any technology solution used to preserve historic electronic Records and Information shall undergo periodic technology reviews to ensure the Records and Information remains intact and retrievable. In the event it is determined that these requirements cannot be properly ensured, the Records and Information shall be transferred to another technology solution or to a newer generation of the same technology solution to preserve the integrity of the Records and Information and to retain the ability to retrieve, display and use over time. Historic electronic Records and Information shall be formally evaluated and, if appropriate, transferred to a new technology solution at a minimum of once every six years.
- 5.8. Both historic electronic and hardcopy Records and Information shall be preserved from being harmed, manipulated, or destroyed by negligence, sabotage, or natural disaster of any kind. Historic electronic Records and Information shall be preserved in a format and on storage media that prevent changes or modifications.
- 5.9. The retention requirement for Historic Records and Information is Indefinitely.



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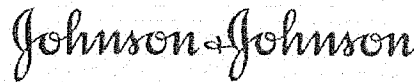
Worldwide Records and Information Management

Historic Records Preservation Standard

Revision History

Version 4.0	31 December 2014	<ul style="list-style-type: none"> • Changed throughout – "historical" to "historic." • Paragraph [5.2] – added direction to take instruction from the Kilmer House Archivist as to determination of Historic Records. • Paragraph [5.9] - Changed "Life of Organization" to "Indefinitely". • Changed throughout - "retention period" to "retention requirement". • Paragraph [5.4] Changed "criteria and procedures" to "guidelines." • Changed throughout - "Operating Company Retention Schedule" to "Enterprise Retention Schedule."
Version 3.0	31 December 2013	<ul style="list-style-type: none"> • Scope [3] Changed – "video tapes, audiotapes, movies etc." to "audiovisual material". Clarified wording and removed Note: referring to GxP. • Paragraph [5.3] Added additional data to be recorded. • Paragraph [5.5] Clarified wording- direct instructions. • Paragraph [5.8] Clarified wording to ensure understanding.
Version 2.0	31 January 2011	<ul style="list-style-type: none"> • No changes to this standard
New Standard Version 1.0	30 September 2009	<ul style="list-style-type: none"> • New Document Issued

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WWRIM Standard RIMS-5
Version 4.0
31 December 2014
Effective – 01 April 2015

Worldwide Records and Information Management

Inactive Records and Information Storage Standard

1. Purpose

This standard provides the criteria for Johnson & Johnson Operating Companies to follow in managing inactive Records and Information until their final disposition and for selecting a facility to store Johnson & Johnson inactive Records and Information.

2. Background

Inactive Records and Information that is no longer needed to conduct current business must be preserved until their retention requirement has expired. Only records that must be retained for business, legal or regulatory purposes should be sent to inactive storage. Inactive storage should not be used as a method of storing an excessive accumulation of convenience information. Inactive records should be moved to a secure inactive records storage site/facility which provides the records (1) physical security, (2) adequate protection against damage due to natural disasters, and (3) protection from unauthorized access.

3. Scope

This standard applies to all Johnson & Johnson Operating Companies.

4. Definitions

Reference terms used in this standard are found in the *Worldwide Records and Information Management Program Glossary*.

5. Minimum Implementation Requirements

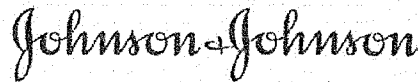
5.1. As minimum requirements for managing inactive Records and Information, Operating Companies shall have the following:

5.1.1. Procedures for identifying, labeling, and indexing Records and Information as "inactive;"

5.1.1.1. At minimum, the following information shall be captured for any records containers or storage units being newly sent or returned to inactive storage. This information may be displayed on the container via a barcode, RFID chip, or similar machine-readable device:

- Record code;
- Record title;
- Creation date and/or date span of records in container;
- Department/Business Unit;
- Destruction date or trigger (based on *J&J Enterprise Retention Schedule*);
- J&J Legal matter number (if applicable);
- Identify if record is considered vital or historical.

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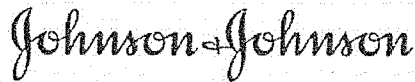
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Effective – 01 April 2015

Worldwide Records and Information Management

Inactive Records and Information Storage Standard

- 5.1.2. Procedures for ensuring the accuracy and completeness of the data entry for the elements in sec. 5.1.1.1;
- 5.1.3. Procedures for transferring active files to inactive storage locations;
- 5.1.4. Procedures for managing access/authorization to send and retrieve records to and from inactive storage. The procedure shall include requirements for the following;
 - 5.1.4.1. Granting and approving access/authorization to Operating Company users to send and retrieve records to and from storage;
 - 5.1.4.2. Ensuring access/authorization is terminated once the Operating Company user no longer requires it (due to job change, termination, etc.);
 - 5.1.4.3. Ensuring Operating Company users are appropriately trained on procedures dealing with inactive record transfer prior to obtaining their access/authorization;
 - 5.1.4.4. Ongoing maintenance of an authorized access list.
- 5.1.5. Areas designated for storing inactive records;
- 5.1.6. A mechanism for tracking inactive Records and Information at the storage location;
- 5.1.7. Procedures for ensuring Legal Hold Notices are applied to the records being sent to inactive storage or are already stored at inactive storage areas;
- 5.1.8. Procedures for Department/Business Unit to request retrieval of records from inactive storage;
- 5.1.9. Procedures for ensuring that records retrieved from inactive storage are promptly and systematically returned to storage upon completion of the use for which they were retrieved;
- 5.1.10. Procedures for conducting defensible disposal in compliance with the *J&J Enterprise Retention Schedule (ERS)* when retention requirements have been met and when there is no Legal Hold Notice in place;
 - 5.1.10.1. Department/Business Unit management shall approve defensible disposal of their unit's inactive records;
 - 5.1.10.2. The Operating Company RIM program shall maintain copies of approved disposal eligibility and authorization documentation for inactive records managed through RIM inactive storage;
 - 5.1.10.3. Upon WWRIM and ERS Advisory Board approval, with proper business justification, Operating Companies may grandfather their last approved

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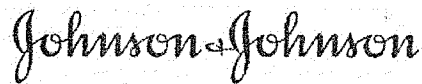
Worldwide Records and Information Management

Inactive Records and Information Storage Standard

Operating Company Records Retention Schedule for records previously stored offsite prior to July 1, 2015.

- 5.1.10.4. The Operating Company Records Manager shall ensure approved defensible disposal of inactive records is conducted in a secure manner consistent with industry good practices that ensures the Records and Information cannot be recovered or reconstructed by any ordinary means;
- 5.1.10.5. Certificates of Destruction for the defensible disposal of inactive records shall be issued only when required by the business process that owns the records being disposed.
- 5.1.11. The Operating Company may extend the retention requirement of records due for disposal only as follows:
 - 5.1.11.1. The person requesting the extension must state the reason and the business value to the Operating Company of granting it;
 - 5.1.11.2. Retention requirements may not be extended in the absence of a valid, documented reason for doing so. A general, unquantified statement of continuing need does not constitute a valid reason;
 - 5.1.11.3. Any such reason must be authorized by a person designated by senior management of the Operating Company to grant the extension;
 - 5.1.11.4. Approval for an extension shall be in writing and shall state the reason for the extension;
 - 5.1.11.5. The Operating Company Records Manager and Department/Business Owner shall review, approve and document extensions to retention of inactive records for reasons other than a Legal Hold Notice.
- 5.2. Inactive Records and Information may be stored at either an on-site or commercial third-party storage facility:
 - 5.2.1. Selection of and negotiation with a commercial third-party storage facility shall comply with the Operating Company procedures for engaging with third-party vendors.
- 5.3. Locations that serve as storage facilities shall be properly managed so as to protect the Records and Information. The following requirements shall be met for both on-site and off-site inactive records storage facilities:
 - 5.3.1. Records and Information shall be indexed and tracked while being stored and managed by the facility;
 - 5.3.2. The facility shall have processes and procedures that allow for the application of Legal Hold Notice to the inactive records stored at the facility;

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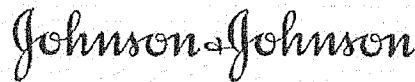


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- 5.3.3. The facility must have security measures in place to prevent unauthorized access and these measures are to be tested and documented;
- 5.3.4. The facility shall maintain a list of authorized personnel who may access the Records and Information;
- 5.3.5. The facility shall maintain documentation that employees are appropriately trained on all aspects of the operations;
- 5.3.6. Climate controls shall be established so as to comply with industry good practices for that geographic region for the type of media being stored;
- 5.3.7. Adequate notice shall be provided to the Operating Company by the storage provider for any changes in procedures and or services;
- 5.3.8. The facility shall have fire suppression capability that at least meets industry norms;
- 5.3.9. The facility shall take every precaution to ensure records protected from floods or other natural disasters.
- 5.4. In addition to meeting the requirements of paragraph 5.3, commercial off-site storage facilities shall meet the following requirements:
 - 5.4.1. Commercial facilities shall have a written agreement with the Operating Company. The agreement shall include language for services that address normal business operations, appropriate compliance with the *Johnson & Johnson Worldwide Information Asset Protection Policies* (IAPPs), and any other special requirements;
 - 5.4.2. Employees and contractors or consultants of a commercial storage facility shall be properly screened and bonded;
 - 5.4.3. Facilities shall have the appropriate business continuity plans that address both natural and man-made disasters with documented procedures that are available for inspection. Business continuity plans and processes shall meet the local requirements and must be tested annually at minimum;
 - 5.4.4. Facilities shall allow inspection by Johnson & Johnson during normal business hours.
- 5.5. Audits of the storage facility shall be conducted by one of the Johnson & Johnson Operating Companies no less than once every three years. Audits conducted by one Operating Company may be leveraged by other Operating Companies using the same storage facility.
- 5.6. New storage facilities must be pre-qualified by a Johnson & Johnson Operating Company prior to use. Pre-qualification includes a review of the storage facility against, at minimum, the requirements of this standard.



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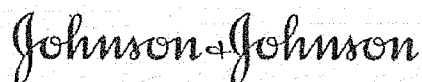
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Inactive Records and Information Storage Standard

Revision History

Version 4.0	31 December 2014	<ul style="list-style-type: none"> Changed throughout - "Operating Company Retention Schedule" to "J&J Enterprise Retention Schedule." Changed throughout - "retention period" to "retention requirement." Paragraphs [5.1.10.3] and [5.1.10.4] – Added paragraphs to apply ERS requirements to inactive records, and note "grandfather policy."
Version 3.0	31 December 2013	<ul style="list-style-type: none"> Changed throughout - "Business Owner" to "Department/Business unit". Changed throughout - "Document Holds" to "Legal Hold Notice". Background [2] Clarified wording to ensure understanding of inactive records; eliminated redundancy. Paragraph [5.1.1.1] Added - Identify if record is considered vital or historical. Added - wording "containers or storage units." Paragraph [5.1.1.1] Added - Option to use barcoding or RFID technology. New paragraph added [5.1.2] "Procedures for ensuring the accuracy and completeness of the data entry for the elements" Paragraph [5.1.9] Revised to include the addition of timely retrieval and return of records from storage. New section added [5.1.11 - 5.1.11.5] Included requirements when extending a retention period, once it meets the destruction date. Paragraph [former 5.1.9.1] moved to [now 5.1.11.5] Added Department/Business owner responsibilities. New paragraphs added [5.3.8 and 5.3.9]. Included facility requirements on fire suppression and natural disasters.
Version 2.0	31 January 2011	<ul style="list-style-type: none"> Paragraph [5.1.1.1] – Clarified the requirement applies to records being either returned to storage or being newly sent to storage Paragraph [5.1.1.1.] – Removed "Record Description" as a mandatory field Paragraph [5.1.9.3] – Adjusted requirement to include maintenance of documentation for destruction authorization of inactive records. Paragraph [5.1.9.5] – Clarified the requirement applies to destruction conducted by or at the inactive storage facility

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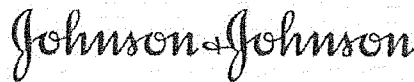
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Inactive Records and Information Storage Standard

		<ul style="list-style-type: none">• Paragraph [5.3.6] – Changed requirement to refer to industry good practices for climate controls for inactive storage.• Minor grammar and typographical edits
New Standard Version 1.0	30 September 2009	<ul style="list-style-type: none">• New Document Issued

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WWRIM Standard RIMS-6
Version 4.0
31 December 2014
Effective – 01 April 2015

Worldwide Records and Information Management Litigation Support Standard

1. Purpose

The purpose of this standard is to define requirements to ensure that Operating Companies make a reasonable, good-faith and coordinated effort to preserve Records and Information potentially relevant to Legal Hold Notices that are issued, and facilitate the identification and collection of such materials as needed.

2. Background

A Legal Hold Notice requires a temporary suspension of the *J&J Enterprise Retention Schedule* (ERS) and disposition of policies for Records and Information that may be relevant to actual or reasonably anticipated litigation or investigations. Such materials may include user-generated or "custodial" information such as email, planning documents, and presentations, as well as "non-custodial" information such as databases and websites. Only the Johnson & Johnson Law Department has the authority to issue or release a Legal Hold Notice.

3. Scope

This standard applies to all Johnson & Johnson Operating Companies.

4. Definitions

Reference terms used in this standard are found in the *Worldwide Records and Information Management Program Glossary*.

5. Minimum Implementation Requirements

5.1. As needed, the Operating Company Records Manager shall coordinate with the J&J Law Department to develop and implement documented procedures, including actions, roles and responsibilities, and internal controls consistent with the following requirements:

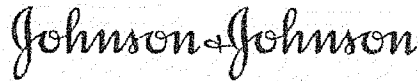
5.1.1. Legal documents (e.g.: Summons and Complaints, Court Orders, Subpoenas, etc.) received by the Operating Company shall be transmitted to the J&J Law Department in a timely manner.

5.1.2. Communication and/or distribution of Legal Hold Notices and Hold Releases;

5.1.2.1. The Johnson & Johnson Law Department shall be solely responsible for determining the need for and content of a Legal Hold Notice, and for identifying the associates who will receive the Legal Hold Notice.

5.1.2.2. Operating Company personnel who receive a Legal Hold Notice are obligated to preserve Records and Information covered by the notice until such time as it is released. Such personnel may coordinate with the J&J Law Department or IT organization to ensure that Records and Information subject to a Legal Hold Notice are identified and protected.

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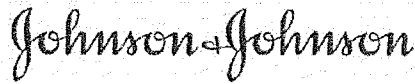
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Effective – 01 April 2015

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Litigation Support Standard

- 5.1.2.3. Records and Information subject to a Legal Hold Notice may not be destroyed until the J&J Law Department issues a written release of all applicable Notices. It should be noted that Records and Information may be subject to more than one Legal Hold Notice at a time. At the time such written notice is received, the records will resume normal retention requirements, as per the ERS.
- 5.1.3. When required by a pending Legal Hold Notice, normal RIM practices, including the disposal of Records and Information according to the ERS, shall be suspended;
 - 5.1.3.1. If there is uncertainty as to whether a Record or Information is relevant to a Legal Hold Notice, that Record or Information shall be preserved until guidance and clarification can be obtained from the J&J Law Department.
- 5.1.4. Discovery and production of records covered by a Legal Hold Notice;
 - 5.1.4.1. Unless previously agreed between the J&J Law Department and the Operating Company Records Manager, the Operating Company Records Manager shall not be responsible for managing and tracking the production or delivery of Operating Company Records and Information to external parties for specific J&J Law Department purposes.
- 5.2. The duty to preserve Records and Information relevant to the subject of a Legal Hold Notice applies to all formats and media, including paper and electronic Records or Information.
- 5.3. Preservation of Records and Information, including any Convenience Information covered by a Legal Hold Notice, shall be undertaken reasonably and in good faith. Scheduled or in-progress disposition of any relevant Records and Information must be suspended or stopped regardless of the retention requirements.
- 5.4. Hard-copy Records and Information relevant to the subject of a Legal Hold Notice, but which are no longer required for day-to-day business operations, may be sent to inactive storage in accordance with Operating Company procedures based on this standard and other applicable WWRIM standards, unless otherwise notified by the J&J Law Department. Hard-copy Records and Information sent to inactive storage shall be adequately indexed or otherwise identifiable so as to allow retrieval of the Records or Information, as necessary, consistent with the applicable Legal Hold Notice.
- 5.5. Preservation of electronic Records and Information covered by the Legal Hold Notice shall comply with the requirements of the J&J Law Department.
- 5.6. Preservation of Records or Information pursuant to a Legal Hold Notice shall continue until the J&J Law Department has issued a written release(s) of all applicable Legal Hold Notices. At that point, the normal retention requirements as per the ERS shall govern the disposition of the subject Records or Information.

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WWRIM Standard RIMS-6
Version 4.0
31 December 2014
Effective – 01 April 2015

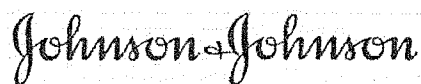
Worldwide Records and Information Management

Litigation Support Standard

Revision History

Version 4.0	31 December 2014	<ul style="list-style-type: none"> • Changed throughout "Operating Company Retention Schedule" to "J&J Enterprise Retention Schedule." • Changed throughout "RRS" to "ERS." • Changed throughout "retention period" to "retention requirement." • Purpose – Clarified language. • Background – Added language on "non-custodial" and "custodial" information. • Scope – Expanded to include Legal Hold Notice custodians. • Paragraph [5.1.2.1] – Clarified language. • Paragraph [5.1.2.2] – Added language to stress obligation to preserve information. • Paragraph [5.1.2.3] – Added language to stress importance of the written release from Legal Hold. • Paragraph [5.1.3.1] – Removed language relating to the "destruction" of records. • Paragraph [5.3] – Clarified language. • Paragraph [5.4] – Added language to stress importance of indexing hard-copy records. • Paragraph [5.5] – Changed verbiage surrounding new Legal Hold Notice process. • Paragraph [5.6] – Clarified language.
Version 3.0	31 December 2013	<ul style="list-style-type: none"> • Changed throughout "Document Hold" to "Legal Hold". • Changed throughout from Clean-out to disposition. • Paragraph [5.1] Included - Law Department as a resource. • Paragraph [5.1.1.] Added - transmission to Law Department requirement. • Paragraph [former 5.1.1.1] now [5.1.2.2] Removed - boundary agreements. • Paragraph [5.1.2.3] Added – direction on handling release notices. • Paragraph [former 5.1.3.1] Remove-, condensed in a concise manner with former [5.1.3.2] to for new [5.1.3.1]. • Paragraph [5.2] Changed - "mediums" to "media" and removed wording "fixed or portable device."
Version 2.0	31 January 2011	<ul style="list-style-type: none"> • Paragraph 5.1.2.1 – REMOVED the "Note" section • Paragraph 5.1.4.1 – Change requirement whereas Records Managers will not be responsible for

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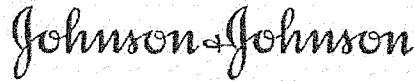
WWRIM Standard RIMS-6
Version 4.0
31 December 2014
Effective – 01 April 2015

Worldwide Records and Information Management

Litigation Support Standard

		tracking documents released to external legal parties unless this is previously agreed to by the Records Manager and the Law Department.
New Standard Version 1.0	30 September 2009	New Document Issued

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WWRIM Standard RIMS-7
Version 4.0
31 December 2014
Effective – 01 April 2015

Worldwide Records and Information Management

Management of Records and Information for Facility Closures or Divestitures Standard

1. Purpose

This standard provides the minimum requirements for managing Records and Information due to a facility closure or a business, plant, or product divestiture.

2. Scope

This standard applies to all Johnson & Johnson Operating Companies.

3. Definitions

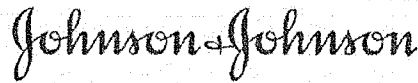
Reference terms used in this standard are found in the *Worldwide Records and Information Management Program Glossary*.

4. Approach

The Operating Company planning to divest itself of a business, plant, or product, or planning to close a facility, shall include Records and Information Management requirements in their plans as defined by the situations below:

- Closure of a facility when the business remains intact elsewhere: When one or more sites of an Operating Company close, the Operating Company shall retain ownership of the Records and Information for that site. Records and information shall be under the direction of the Operating Company Records Manager and shall be governed in accordance with the *Worldwide Records and Information Management Policy and Standards*.
- Divestiture of specific products and/or functions where the balance of the Operating Company remains intact within the Johnson & Johnson Family of Companies: When the Operating Company divests itself of individual products and/or functions, Records and Information relevant to the product or function, as outlined in contracted agreement among the parties, and as required by law, shall transfer with that product or function. Only records specified in the contract shall be transferred to the new owner; all other records and information shall remain the property of the Operating Company.
- Complete divestiture of an Operating Company and all its associated products and/or functions: When the Operating Company's business is completely divested, the Records and Information defined in the contract and as required by law shall be transferred to the new owner. The remaining Records and Information shall be managed at the direction of the Johnson & Johnson Law Department, in consultation with the Records Manager of the closing Operating Company and the World Headquarters Records Manager. Custodianship of the remaining records shall transfer to the World Headquarters Records Manager unless otherwise directed by the Johnson & Johnson Law Department.

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WWRIM Standard RIMS-7
Version 4.0
31 December 2014
Effective – 01 April 2015

Worldwide Records and Information Management

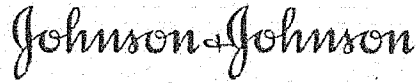
Management of Records and Information for Facility Closures or Divestitures Standard

- Discontinuation of an Operating Company's business without divestiture: When the Operating Company's business ceases, disposition of all records shall be at the direction of the Johnson & Johnson Law Department, in consultation with the Records Manager of the closing Operating Company and the World Headquarters Records Manager. Custody of any remaining records shall transfer to the World Headquarters Records Manager, unless otherwise directed by the Johnson & Johnson Law Department.

5. Minimum Implementation Requirements

- 5.1. Records and Information, both in paper and electronic formats, relevant to a divestiture or closure shall be indexed and a current information inventory created.
- 5.2. Records and Information, whose retention requirement has expired on or before the official divestiture date or the facility closing date shall be disposed of according to the *J&J Enterprise Retention Schedule* unless otherwise advised by the Johnson & Johnson Law Department.
- 5.3. Records and Information identified in the divestiture or closing agreement that are to be transferred to another company shall be segregated from Records and Information to be retained by the Operating Company.
- 5.4. Records and Information identified for transfer to a party outside the Operating Company shall be checked against active Legal Hold Notices to determine whether the Records and Information are subject to a Legal Hold.
 - 5.4.1. If any records are subject to an active Legal Hold Notice, the Operating Company Records Manager shall seek direction from the Johnson & Johnson Law Department as to the management of those records.
- 5.5. Responsibility for overseeing the proper identification, management and transfer of Records and Information in all formats to a new owner shall be assigned to an appropriate team of subject matter experts, including as appropriate, personnel from Information Technology, Business Units, Legal, Human Resources, and the Operating Company Records Manager.
- 5.6. Records and Information that are being transferred to a new owner but are required by the Operating Company to complete a tax audit or for another business purpose shall be copied by the Operating Company and managed accordingly, unless the Operating Company is otherwise advised by the Johnson & Johnson Law Department or the Johnson & Johnson Tax Department.
- 5.7. Records and Information to be transferred to a new owner shall be properly indexed and clearly marked. A copy of the index of Records and Information transferred to the new owner shall be retained by the Operating Company.
- 5.8. Unclear or Absent Contract Language. In cases where ownership, division, or transfer of records is unclear, the Operating Company shall seek guidance from the Johnson & Johnson Law Department.

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WWRIM Standard RIMS-7
Version 4.0
31 December 2014
Effective – 01 April 2015

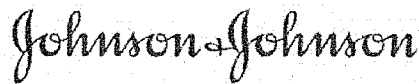
Worldwide Records and Information Management
Management of Records and Information for Facility Closures or
Divestitures Standard

5.9. Transfer of Records and Information shall follow proper chain of custody procedures.

Revision History

Version 4.0	31 December 2014	<ul style="list-style-type: none">• Changed throughout - "Operating Company Retention Schedule" to "J&J Enterprise Retention Schedule."• Changed throughout - "retention period" to "retention requirement."• Reformatted Approach Paragraph for clarity.
Version 3.0	31 December 2013	<ul style="list-style-type: none">• Changed throughout "Document Hold" to "Legal Hold."• Changed throughout "New Company" to "New Owner."• Paragraph [5.2] Removed reference to WWRIM Clean-up Event Standard and Convenience Information.• Paragraph [5.5] Added responsibility to - IT, Legal, HR, and Business Units.• New paragraph [5.8] to specify procedure for "Unclear or Absent Contract Language."
Version 2.0	31 January 2011	<ul style="list-style-type: none">• Paragraph [5.2] – changed "Cleanout" to "Clean-up."
New Standard Version 1.0	30 September 2009	<ul style="list-style-type: none">• New Document Issued

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WWRIM Standard RIMS-8
Version 4.0
31 December 2014
Effective – 01 April 2015

Worldwide Records and Information Management

Management of Records and Information for Mergers and Acquisitions Standard

1. Purpose

The purpose of this standard is to specify the Records and Information Management (RIM) planning requirements for integrating an acquired company's records and information into the acquiring Operating Company.

2. Background

When Johnson & Johnson (or one of its Operating Companies) seeks to acquire another company, the company being acquired will ultimately become part of Johnson & Johnson, and thus be required to comply with the Johnson & Johnson *Worldwide Records and Information Management Policy and Standards*.

3. Scope

This standard applies to all Johnson & Johnson Operating Companies.

4. Definitions

Reference terms used in this standard are found in the *Worldwide Records and Information Management Program Glossary*.

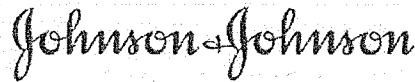
5. Approach

Due to the nature of acquisition planning and integration, and to the unique situations surrounding each acquisition project, the engagement of the Operating Company Records Manager by the Mergers and Acquisitions team may occur at different intervals during the project. Engagement may not begin until the final integration is well underway. The Mergers and Acquisitions team may limit the Records Manager's level of engagement or scope of responsibility due a variety of reasons. Hence, the tasks and responsibilities required of a Records Manager will also vary. Below are listed the minimal implementation standards.

6. Minimum Implementation Requirements

- 6.1. As part of the acquisition process, the Mergers & Acquisitions team shall engage the Operating Company Records Manager as part of the integration process and/or integration team.
- 6.2. As part of the acquisition process, the Mergers & Acquisitions team and/or the Operating Company Records Manager shall notify WWRIM of the integration.
- 6.3. Within the terms and scope of this engagement (Paragraph [5]), the Records Manager shall do the following:

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WWRIM Standard RIMS-8
Version 4.0
31 December 2014
Effective – 01 April 2015

Worldwide Records and Information Management

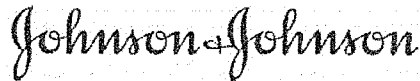
Management of Records and Information for Mergers and Acquisitions Standard

- 6.3.1. Facilitate or conduct an evaluation of RIM practices of the acquired company, including a gap analysis comparing that company's policies, standards and procedures with Johnson & Johnson's *Worldwide Records and Information Policy and Standards*;
- 6.3.2. Develop a plan of action to bring the acquired company into compliance with the Johnson & Johnson *Worldwide Records and Information Policy and Standards*; after the acquisition finalizes. The plan shall include provisions for the training/communicating the requirements of the RIM program to the acquired company personnel/contractors; the transfer-in or management of the acquired company's records, including evaluation of Legal Holds and an estimate of the resources needed to carry-out the plan.

Revision History

Version 4.0	31 December 2014	<ul style="list-style-type: none">• Changed throughout - "Operating Company Retention Schedule" to "J&J Enterprise Retention Schedule."• Changed throughout - "retention period" to "retention requirement."
Version 3.0	31 December 2013	<ul style="list-style-type: none">• Changed throughout "Document Hold" to "Legal Hold."• New Paragraph [6.2] Added – notification to WWRIM.• Paragraph [former 6.2 - 6.2.2] now [6.3 – 6.32].
Version 2.0	31 January 2011	<ul style="list-style-type: none">• Paragraph [1]: Removed reference to training as this is covered in RIMS-11.• Minor edit.
New Standard Version 1.0	30 September 2009	<ul style="list-style-type: none">• New Document Issued

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WWRIM Standard RIMS-9
Version 4.0
31 December 2014
Effective – 01 April 2015

Worldwide Records and Information Management

Management of Records and Information of Departing Associates Standard

1. Purpose

This standard establishes the minimum requirements for Johnson & Johnson Operating Companies in managing the Records and Information of departing employees and/or contractors to assure such Records and Information are reviewed and dispositioned in compliance with laws, regulations, the *J&J Enterprise Retention Schedule (ERS)*, and active Legal Hold Notices.

2. Scope

This Standard applies to all Johnson & Johnson Operating Companies.

3. Definitions

Reference terms used in this standard are found in the *Worldwide Records and Information Management Program Glossary*.

4. Approach

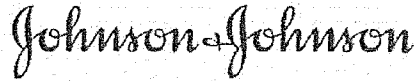
Hard-copy and electronic Records and Information created or received by an associate in the course of doing business are the property of that Operating Company. All records shall remain with the Operating Company upon departure of the associate. The same is applicable of Records and Information created or received by vendors.

Upon transfer or termination of an associate, appropriate steps must be taken to ensure that Records and Information used by them are appropriately managed, including transfer to other personnel, integration into records systems, or as appropriate, disposal.

5. Minimum Implementation Requirements

- 5.1. The Operating Company Records and Information Management Department shall provide a level of support for the associate's department in processing and managing records that are orphaned as a result of the departure, in the case that those records must be maintained for Records and Information Management or Legal Hold requirements.
- 5.2. The departing associate prior to leaving their position within the Operating Company, shall determine management and disposition of their Records and Information by reviewing their records against the J&J Enterprise Retention Schedule and any active Legal Hold Notices impacting that Operating Company, and/or workgroup, and/or individual. Convenience Information shall be destroyed/deleted at this time, provided it is not related to a Legal Hold Notice.

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WWRIM Standard RIMS-9
Version 4.0
31 December 2014
Effective – 01 April 2015

Worldwide Records and Information Management

Management of Records and Information of Departing Associates Standard

- 5.2.1. The departing associate shall obtain guidance from their supervisor or the Records and Information Management Department to ensure they understand and reference the most current version of the ERS and Legal Hold Notice listing to perform their review. Management and disposition of records shall conform to the ERS and any relevant Legal Hold Notices as appropriate. The departing associate shall assist in the transfer of records to other personnel or the integration into existing records and data sources.
- 5.2.2. In the event the departing associate does not complete their responsibilities in section 5.2.1, the associate's supervisor will inform the Operating Company's contact at the Law Department, who will re-assign those duties to another capable custodian.
- 5.2.3. Records and Information determined to be eligible for disposal after this review process shall be disposed at that time in accordance with Operating Company procedures.

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WWRIM Standard RIMS-9
Version 4.0
31 December 2014
Effective – 01 April 2015

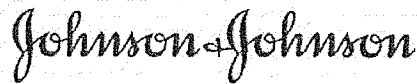
Worldwide Records and Information Management

**Management of Records and Information of Departing Associates
Standard**

Revision History

Version 4.0	31 December 2014	<ul style="list-style-type: none"> • Changed throughout – "Records Retention Schedule" to "Enterprise Retention Schedule". • Changed throughout – "RRS" to "ERS". • Changed throughout – "retention period" to "retention requirement". • Paragraph [5.2.2] Changed verbiage – clarified supervisor roles. • Paragraph [5.2.3] Changed verbiage – "defensible destruction" to "disposal". • Changed throughout – "Manager or Sponsor" to "supervisor."
Version 3.0	31 December 2013	<ul style="list-style-type: none"> • Changed throughout- "Document Hold" to "Legal Hold Notice." • Where applicable replaced "employee" to "associate." • Approach section [4] Clarified wording, reworded former "Note" section, and eliminated wordiness and length. • Paragraph [5.2.1] Clarified - departing associates responsibilities. • Paragraph [5.2.2] Clarified - supervisor, sponsor, designee responsibilities. • Paragraph [5.2.3 & 5.2.3.1] Combined • Paragraph [5.2.3.2 - 5.4] Removed - captured in previous sections.
Version 2.0	31 January 2011	<ul style="list-style-type: none"> • Paragraph [5.2.1] – Clarified requirement to enable departing employee to perform their records review in a compliant manner. • Paragraphs [5.2.2] – REMOVED reference to "within 90 days of employee's departure." • Paragraph [5.2.3.1] – Added new requirement to allow for destruction of records at time of review, if Operating Company procedures support this – renumbered remaining requirements under [5.2.3]; also changed "Cleanout" to "Clean-up" • Paragraph [5.3.1] – REMOVED reference to "within 90 days of the contractor or vendor's departure." • Paragraph [5.5] – REMOVED –information security requirement and included in those policies.
New Standard Version 1.0	30 September 2009	New Document Issued

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WWRIM Standard RIMS-10
Version 4.0
31 December 2014
Effective – 01 April 2015

Worldwide Records and Information Management

Records and Information Management Compliance Assessment Standard

1. Purpose

This standard defines the requirements for the Operating Company Records and Information Management (RIM) Department to follow in planning and conducting (or facilitating) RIM compliance assessments of departments within their Operating Company.

2. Background

RIM compliance assessments provide (1) assurance that Records and Information processes and systems are effective and compliant with business, regulatory and legal requirements, (2) a mechanism for regular scrutiny of Operating Company RIM program processes, (3) a means to identify potential problems and implement corrections, and (4) a vehicle for the improvement of the RIM program and processes.

Note: The RIM compliance assessments discussed in this standard are not to be confused with, nor used in place of, the Records and Information Management audits conducted by Johnson & Johnson Corporate Internal Audit (CIA). CIA conducts audits of the Operating Company RIM program for compliance with *Worldwide Records and Information Management Policy and Standards*; the criteria and selection process for CIA audits will be determined by CIA.

3. Scope

This standard applies to all Johnson & Johnson Operating Companies.

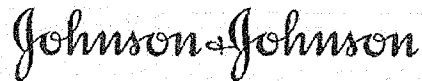
4. Definitions

Reference terms used in this standard are found in the *Worldwide Records and Information Management Program Glossary*.

5. Minimum Implementation Requirements

- 5.1. The Operating Company shall conduct assessments for compliance with Operating Company RIM procedures on an annual basis.
 - 5.1.1. The Operating Company Records Manager shall be responsible for conducting or facilitating RIM compliance assessments of selected departments within their company or for ensuring those assessments are conducted by trained and qualified individuals as appropriate for that Operating Company.
- 5.2. A risk-based approach shall be used to determine the Operating Company's RIM compliance assessment schedule priorities.
 - 5.2.1. The Operating Company Records Manager shall conduct an assessment to determine which departments within the company shall be considered "high risk" from a RIM perspective.

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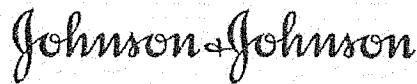
WWRIM Standard RIMS-10
Version 4.0
31 December 2014
Effective – 01 April 2015

Worldwide Records and Information Management

Records and Information Management Compliance Assessment Standard

- 5.2.2. "High risk" departments may include the following criteria:
- Non-compliant findings from previous RIM compliance assessments;
 - Previously impacted by significant legal obligations;
 - Exposed to regulatory audits.
- 5.2.3. "High risk" departments will be prioritized on an annual basis, and RIM assessments will be conducted accordingly every two years. An assessment resulting in a significant finding may warrant a full assessment in the following year.
- 5.2.4. "Low risk" departments will be prioritized periodically and a RIM assessment will be conducted per the schedule.
- 5.3. The Operating Company RIM Department shall have a documented schedule for non-"high risk" departments.
- 5.4. The scope of the RIM compliance assessment shall include department compliance with applicable procedures in the following areas:
- *J&J Enterprise Retention Schedule*, including disposition of records past their retention requirements;
 - Training and Education;
 - Legal Hold Notices;
 - Inactive Records and Information Management;
 - Vital Records and Protection;
 - Records of Departing Associates.
- 5.5. A RIM compliance assessment report shall be presented to the upper management of the Operating Company department being assessed and shall include significant findings.
- 5.6. The department being assessed shall develop a corrective action plan, with timelines, to address significant findings.
- 5.6.1. Corrective action plans and timelines shall be signed by senior management of the department and submitted to the Operating Company RIM Department for acceptance and monitoring till completion. Department designee shall provide periodic updates on the progress of the action plan.
- 5.6.2. The Operating Company RIM Department shall be responsible for monitoring the status of the corrective action plan to assure its implementation, and for escalating repeated missed deadlines and/or lack of progress to Operating Company senior management.

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WWRIM Standard RIMS-10
Version 4.0
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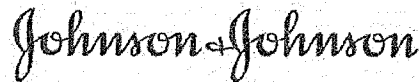
Worldwide Records and Information Management

Records and Information Management Compliance Assessment Standard

Revision History

Version 4.0	31 December 2014	<ul style="list-style-type: none"> Changed throughout "Records Retention Schedule" to "Enterprise Retention Schedule." Changed "retention times" to "retention requirements." Added Paragraph [5.2.4] to add "Low Risk" Departments.
Version 3.0	31 December 2013	<ul style="list-style-type: none"> Background [2] First paragraph - Clarified wording. Minor change, Removed second paragraph. Paragraph [5.1] Added "for high risk areas." Paragraph [5.2.3] Added - The significance of the finding of the review may warrant a full assessment in the following year for "high risk" departments. Paragraph [former 5.2.4] Removed, condensed within new [5.2.3] for conciseness. New Paragraph [5.4] The Operating Company RIM department shall have a documented schedule for non-"high risk" departments. Paragraph [former 5.2.2.2] Removed, see below Paragraph [former 5.2.2.3 – 5.2.2.4] now [5.2.2.2 – 5.2.2.3] Paragraph [former 5.2.2.5] Removed- redundant. Paragraph [5.4] Removed – Records Cleanout, now [5.5]. Paragraph [former 5.6.1] now [5.7.1] Added – Department designee shall provide periodic updates on the progress of the action plan. Paragraph [former 5.6.2] Removed, condensed within new [5.7.1]. Paragraph [former 5.6.3] now [5.7.2].
Version 2.0	31 January 2011	<ul style="list-style-type: none"> Paragraph [5.4] – Added "Records of Departing Associates" to list of items to be audited. Paragraph 5.4 – REMOVE requirement around conducting a random audit of vendors working with the department who store, manage or create records on the vendor's behalf. Paragraph [5.5] and [5.6.2] – clarified department "upper" management responsibilities.
New Standard Version 1.0	30 September 2009	<ul style="list-style-type: none"> New Document Issued

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WWRIM Standard RIMS-11
Version 4.0
31 December 2014
Effective – 01 April 2015

Worldwide Records and Information Management Training and Education Standard

1. Purpose

This standard establishes the minimum requirements for Johnson & Johnson Operating Companies in providing Records and Information Management (RIM) training and education to assure that the requirements and the expectations of the RIM program are communicated and understood.

2. Scope

This standard applies to all Johnson & Johnson Operating Companies.

3. Definitions

Reference terms used in this standard are found in the *Worldwide Records and Information Management Program Glossary*.

4. Minimum Implementation Requirements

4.1. The Operating Company RIM Department shall have a documented procedure to address RIM training and education requirements for (1) Operating Company employees; (2) vendors, external business partners, and outside consultants/contractors; and (3) individuals in special roles/circumstances.

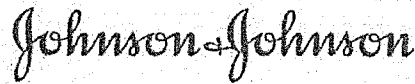
4.2. The following training and education requirements shall be met by all Operating Companies.

4.2.1. Operating Company Employees: Shall annually receive general Records and Information Management training addressing at minimum, the following areas:

- Benefits of properly managed Records and Information;
- Consequences and risks of non-compliance;
- Overview of the *Worldwide Records and Information Management Policy*;
- Overview of the basic elements of a RIM program;
- General contact information for further RIM assistance/guidance;
- Detailed information on:
 - a) The concept of RIM lifecycle methodology;
 - b) The concepts of Records and Information, and Convenience Information;
 - c) Understanding and using the *J&J Enterprise Retention Schedule*;
 - d) Understanding and complying with a Legal Hold;
 - e) Understanding the employee's role and responsibilities within the RIM program.

4.2.2. These requirements may be met by any combination of training and education mechanisms, including but not limited to class-room training, one-on-one training, J&J eUniversity training, Learning management systems (LMS), web or WebEx training, "read and understand" documentation, etc.. The requirements may be met via one

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WWRIM Standard RIMS-11
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Effective – 01 April 2015

Worldwide Records and Information Management

Training and Education Standard

mode(s) of training during one year and a different mode(s) of training in the subsequent year.

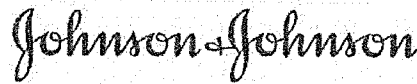
- 4.2.3. At the Operating Company Records Manager's discretion, abbreviated training topics and/or content may be provided to associates who do not handle Johnson & Johnson records during the usual course of their work activities.
- 4.2.4. Vendors, External Business Partners, Contractors/Consultants handling Operating Company Records and Information: Vendors, external business partners, and contractors/consultants who handle Operating Company Records and Information shall receive general Records and Information Management training/awareness addressing, at minimum, the following areas:
- Requirements of the *Worldwide Records and Information Management Policy*;
 - Consequences and risks of non-compliance;
 - General contact information for further assistance/guidance in complying with RIM requirements;
 - Understanding their role and responsibilities in complying with RIM requirements and fulfilling RIM activities;
 - Understanding and complying with a Legal Hold.

Note: Annual refresher training is recommended for all long-term contractors/consultants.

- 4.2.5. Individuals in Special Roles/Circumstances: The following requirements address individuals in special roles/circumstances:

- 4.2.5.1. Newly Hired/Transferred-In Employee: Shall receive RIM education and training per paragraph 4.2.2 within the first 60 days of reporting to work. The material or training shall address the topics listed in paragraph 4.2.1 of this standard.
- 4.2.5.2. Records Coordinators: As the focal point for RIM activities within a department, the Records Coordinator shall receive additional, specialized annual training. In addition to receiving general training as specified for Operating Company employees in paragraph 4.2.1 of this standard, the Records Coordinator training shall include the following:
- Guidance on facilitating awareness of RIM requirements within their department;
 - Requirements on coordinating communication between RIM and their department;
 - Requirements for facilitating RIM program events and procedures for their department;
 - Detailed information on RIM requirements and Operating Company procedures for:
 - a) Offsite storage;
 - b) Legal Hold compliance;

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Training and Education Standard

- c) RIM department assessments;
- d) Protection of information of departing associates;
- e) Vital records;
- f) Compliance with the *J&J Enterprise Retention Schedule*;
- g) Management of electronic Records and Information;

4.2.5.3. In the event the Records Coordinators' responsibilities differ from the standard, per the *WWRIM RIMS-1 Records and Information Management Program Standard*, section 5.3, the training the Records Coordinators receive shall match the documented responsibilities of those Records Coordinators.

4.3. The Operating Company RIM Department shall track and document completion/attendance of all training, education sessions, and courses.

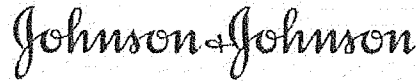
4.4. Training and education materials and training courses may be reviewed and/or updated as needed, but shall be reviewed and/or updated at a minimum of every three years to assure relevancy.

Revision History

Version 4.0	31 December 2014	<ul style="list-style-type: none"> Changed throughout – "Records Retention Schedule" to "Enterprise Retention Schedule." Changed throughout – "program audits" to "department assessments."
Version 3.0	31 December 2013	<ul style="list-style-type: none"> Paragraph [4.1] Removed - "ongoing RIM strategy." Former note: section under section [4.2]. Moved to its own section, now [4.2.2]. Former Exception paragraph in [4.2.1]. Moved to its own section, now [4.2.3]. Paragraph [former 4.2.2] now [4.2.4] Added - "Understanding and complying with a legal Hold." Paragraph [4.2.1] Removed - "Cleanup events." Paragraph [4.2.4] Removed - "60 days" requirement. Note: section under [4.2.4.] Clarification for contractors. Paragraph [former 4.2.3. – 4.2.3.2] now [4.2.5 – 4.2.5.2].
Version 2.0	31 January 2011	<ul style="list-style-type: none"> Paragraph [4.2.1] – Added Exception to allow Records Managers discretion in provided abbreviated training to J&J employees who do not handle records during the normal course of their job. Minor typographical changes
New Standard Version 1.0	30 September 2009	<ul style="list-style-type: none"> New Document Issued

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Version 4.0
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Worldwide Records and Information Management Enterprise Retention Schedule Standard

1. Purpose

This standard provides the requirements for adherence to the *Johnson & Johnson Enterprise Retention Schedule* (ERS) by the Johnson & Johnson Operating Companies.

2. Scope

The standard applies to all Johnson & Johnson Operating Companies.

3. Background

In order to ensure compliance with business and operating needs, records must be maintained in a systematic manner throughout their lifecycle. The *J&J Enterprise Retention Schedule* provides requirements on how long records must be kept to comply with legal, privacy and regulatory requirements. Operating Companies are required to use the ERS to ensure standardization and compliance with retention requirements.

4. Definitions

Reference terms used in this standard are found in the *Worldwide Records and Information Management Program Glossary*.

5. Minimum Implementation Requirements

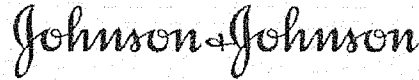
WWRIM Program Office Responsibilities

- 5.1. The WWRIM Program Office shall develop and manage the ERS which documents the retention requirements that are consistently applied across the enterprise, taking into account necessary country-level exceptions for legal, privacy and regulatory requirements.
- 5.2. All changes to the ERS shall follow a documented Change Management Process.
- 5.3. Johnson & Johnson Worldwide Privacy will identify privacy requirements to be included in the ERS.
- 5.4. The methodology used to develop and maintain the ERS shall be reviewed and accepted by the Johnson & Johnson Law Department.

Operating Company Responsibilities

- 5.5. While the ERS will be published on January 1, 2015, Operating Companies will have until July 1, 2015 to become compliant with both the Standard and the ERS.

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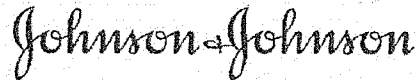


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Enterprise Retention Schedule Standard

- 5.6. It is the responsibility of the Operating Company to adhere to the requirements set forth by WWRIM and the ERS. Any non-compliance of this responsibility must be documented by an approved "Risk Acknowledgment Form" from the WWRIM Program Office and signed by Operating Company Senior Management.
- 5.7. The retention requirements of the ERS shall apply to Records and Information stored in all media formats, including electronic Records and Information. The requirements apply to Johnson & Johnson Records and Information, regardless of whether the records reside on an Operating Company computing or storage device, a third-party/partner computing or storage device, or a personally-owned computing or storage device.
- 5.8. Records and Information shall not be retained longer than the period of time designated for each Functional Category, unless a Legal Hold Notice has been issued by the J&J Law Department suspending the disposal of those Records and Information. If a Legal Hold Notice is issued, Records and Information relevant to the subject of the Legal Hold Notice are to be preserved until the Legal Hold Notice is released by the J&J Law Department.
- 5.9. Operating Company Records Managers shall develop and implement communications and training to assure Operating Company associates and vendors understand their responsibilities in complying with the requirements of the ERS, and have the necessary knowledge and tools to do so.
- 5.10. Records and Information, in both hard-copy and electronic formats, having met their retention time and in accordance with this standard shall be disposed of in a secure manner that prevents unauthorized disclosure consistent with good industry practices and ensures the Records and Information cannot be recovered or reconstructed by any ordinary means "provided they are not subject to a Legal Hold Notice."



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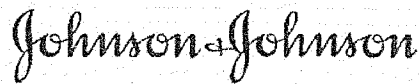
Worldwide Records and Information Management

Enterprise Retention Schedule Standard

Revision History

Version 4.0	31 December 2014	<ul style="list-style-type: none"> • Changed title from "Records Retention Schedule Standard" to "Enterprise Retention Schedule Standard." • Purpose Paragraph – Clarified language. • Background Paragraph – Clarified language. • Changed throughout – "destruction" to "disposal." • Changed throughout - "Records Retention Schedule" to "Enterprise Retention Schedule." • Changed throughout - "retention time(s)" and retention period(s) to "retention requirements." • Added a new section under Section 5 for "WWRIM Program Requirements." • Added paragraphs [5.4] – [5.5.1] to set requirements to the Operating Company for the Risk Acknowledgment Process and Change Control Process. • Paragraph [5.6] – Clarified language. • Removed original paragraphs [5.1], [5.2], [5.4], [5.5], [5.7], [5.8], [5.9], [5.10], [5.14] and [5.15] – obsolete with new ERS requirements.
Version 3.0	31 December 2013	<ul style="list-style-type: none"> • Added a new Section "Background" with a descriptive paragraph. • Added new paragraphs [5.1.1, 5.1.1.1, 5.1.1.2 & 5.1.1.3] Added process around Operating Company RRS modifications and the GRRS. • Paragraph [5.4] deleted the reference to Vice President or above and left reference to Senior Management as the accepted level of signatory. • Paragraph [5.5] Added requirement to submit RRS to WWRIM. • Paragraph [5.7] Last bullet added "and/or business requirement" • Paragraph [5.10] Removed trigger event table and changed to reference the GRRS.
Version 2.0	31 January 2011	<ul style="list-style-type: none"> • Paragraph [4.8] – Clarified "upper" management of department in place of "Senior" management of department • Paragraph [4.9] – Changed the FTA trigger description by eliminating reference to "in no case less than seven years."
New Standard Version 1.0	30 Sept 2009	<ul style="list-style-type: none"> • New Document Issued

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Worldwide Records and Information Management

Vital Records Standard

1. Purpose

This standard establishes the criteria and minimum requirements for the identification, protection, and maintenance of Vital Records for all Johnson & Johnson Operating Companies to assure those Records and Information are available to promote continuity of core business functions in the event of a records-related disruption of any kind.

2. Background

Vital Records are defined as "Records and Information that are fundamental to the functioning of an organization and necessary to continue business operations without delay under abnormal conditions." Vital Records contain information necessary to maintain or re-establish the organization in the event of a major hazard or disaster. As such, they are a critical component of a Business Continuity Plan.

Some of the consequences of damages a company may sustain if not equipped with a functioning Vital Records program include:

- Loss or decrease in customer base;
- Interruption of revenue flow;
- Inability to comply with legal and/or regulatory requirements;
- Fines or other penalties incurred for failure to produce required Records and Information;
- Extensive cost of reconstruction of lost Records and Information;
- Damage to company reputation.

The goal is to ensure that critical business records are restored to operating conditions within a period of time that is reasonable based upon the system itself, the nature of the information within it, and the critical nature of the business process it supports.

3. Scope

This standard applies to all Johnson & Johnson Operating Companies.

4. Definitions

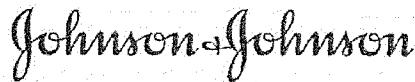
Vital records are defined in Paragraph 2 of this standard. Other reference terms used in this standard are found in the *Worldwide Records and Information Management Program Glossary*.

5. Approach

Identified Vital Records must be protected from potential loss. The protection method used is based on record media type, available resources, environmental and security requirements, and an assessment of the risks for each method. There are two basic methods of protecting Vital Records: dispersal and protective storage.

Dispersal is the distribution of duplicate copies of Records and Information to locations other than to those where the originals are housed; this may be part of a routine business process or specifically designed to protect identified Vital Records. Most Vital Records programs implement a combination

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of the two methods of protection. Regardless of the methods selected, procedures must be implemented to ensure the Vital Records are kept current for the Vital Records program to be effective.

Operating Company Senior Management must agree to protect these records or be willing to tolerate the risk of not protecting them as evidenced by a formal, approved exception to policy statement.

6. Minimum Implementation Requirements

6.1 Records and Information shall be identified as Vital Records only for as long as they support critical business functions and processes, and fulfill the requirements of a Vital Record. Once they have fulfilled this role, they should no longer be identified or listed as a Vital Record in the Operating Company's Master Vital Information List maintained by the Records and Information Management Department, and also included in the Business Continuity Plan.

6.2 Vital Records shall be (1) secured in a manner that preserves and protects the integrity of the record, (2) protected via dispersal or protective storage, or a combination of both, and (3) easily retrievable in the event a major hazard or disaster occurs which activates the Business Continuity Plan.

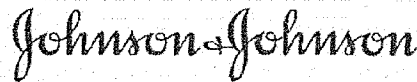
6.2.1 Means of protecting Vital Records via dispersal and protective storage include, but are not limited to, the following examples:

- Storing a Vital Record in a file cabinet in the office with the copy stored in a locking, fire-resistant cabinet in a different building on the Operating Company campus (example of a combination of dispersal and protective storage);
- Storing a Vital Record in a locked on-site facility with the copy stored at an offsite facility designed for records protection (example of combination of dispersal and protective storage);
- Storing a Vital Record in a locked, fire-resistant vault located in an off-site facility designed for records protection (example of protective storage);
- Storing a Vital Record on an encrypted hard drive in a locked off-site storage facility designated for records protection (example of dispersal);
- Storing a Vital Record on the Johnson & Johnson network with a backup of that record being stored and managed by the appropriate Johnson & Johnson IT data center (with the backup being stored or replicated off-site) (example of combination of dispersal and protective storage).

6.3 The Operating Company shall define the recovery classes for its Vital Records. Each recovery class shall fulfill the following requirements:

- 6.3.1 Set forth the time frame for which the Vital Records must be restored to operation in hours, days, weeks or other suitable measures of time;
- 6.3.2 The recovery class, and the degree and type of protection shall be determined in consultation with the Operating Company Records Manager, the Department/Business Unit, and Senior Management;

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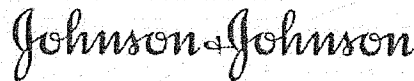
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- 6.3.3 Due consideration must be given to the minimum necessary level of protection, the additional costs and other burdens of additional protection and available funding and other resources.
- 6.3.4 The correct solution for ensuring that a Vital Records is available to the continuity of business processes (i.e. via dispersal alone, via protective storage alone, or via a combination of both) is determined by the level of risk associated with the potential loss of that Vital Record. Generally, the greater the risk associated with loss and the greater the level of difficulty and cost to reconstruct, the greater the protection. In like manner, the immediacy with which a repository must be restored to operational status is determined by the risks and costs associated with its continued unavailability. Consider the following:
- Records considered highest risk should be protected by both dispersal and protective storage.
 - The greater the risk, the greater the degree of geographic separation of the duplicates of those records so as to make it less likely that a disaster in the immediate area would impact the location where the duplicate records are stored.
 - The more immediately a repository must be returned to operational status, the more sophisticated must be the solution for restoring it.
- 6.3.5 All of these considerations must be balanced against the costs of any potential solutions, and any other downside effects those solutions may present.
- 6.4 The determination of the status of Vital Records shall be made based on the subject content of the record or information and Business Unit Owner, and shall not be based on media format. This is an example for the use of guidance of developing a recovery class scheme:
- 6.4.1 Vital Information Recovery Class Levels:
- Recovery Class Level 1
 - Records and Information needed for emergency operations (for example, Business Continuity Plan for the Operating Company).
 - Recovery Class Level 2
 - Records and Information needed within the first xx hours/x days after a disaster for immediate resumption and continuation of business.
 - Recovery Class Level 3
 - Records and Information essential for reestablishing the legal and financial position of the Operating Company and are needed within the first x/xx days after a disaster.
 - Recovery Class Level 4
 - Records and Information that are vital, but do not require recovery within the first x/xx weeks after a disaster.
- 6.5 The Operating Company shall develop and maintain procedures to document the following:
- 6.5.1 Strategy and decisions for identifying Vital Records, determining protection option, and assigning Recovery Class Levels;

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6.5.2 List of all Vital Records by type and repository within that Operating Company that includes the following information:

- Repository Name;
- Repository System;
- Record Types within each repository;
- Department/Business Unit;
- Media Format (e.g., paper, electronic);
- Recovery Class Level;
- Method of Protection;
- Locations (original and dispersed copies), if applicable.

6.5.3 Method for keeping the Vital Records listing current;

6.5.4 Method for controlling access to Vital Records and their copies;

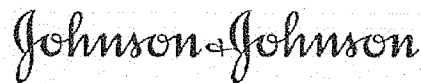
6.5.5 Method for recovering Vital Records according to their Recovery Class Level;

6.5.6 Method for assessing and determining cost-effectiveness of protection and retrieval methods of Vital Records and their copies:

- Vital Information Retrieval Test;
- Verification of Document Owners on the Master Vital Information List and Business Continuity Plan.

6.5.7 Periodic assessments to assure select Vital Records are effectively and efficiently recovered for resumption of business operations in the event of a disaster.

6.6 Any decisions that are exceptions to this standard must be justified and documented with the written approval of the Operating Company Senior Management.



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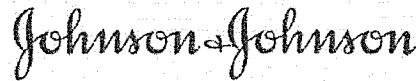
Worldwide Records and Information Management

Vital Records Standard

Revision History

Version 4.0	31 December 2014	<ul style="list-style-type: none"> Paragraph [6.1] - Added information about master Vital Information List. Paragraph [6.2] - Added requirement for ease of irretrievability. Paragraph [6.5.6] - Added requirement for cost-effectiveness determination.
Version 3.0	31 December 2013	<ul style="list-style-type: none"> Background section [2] Added a paragraph on the goal of protecting vital records. Paragraph [6.4] Removed - specific hours, days, months in recovery class table. Paragraph [6.5.2] Changed required fields in vital records list. Paragraph [6.5.6] Changed - testing period from "annual" to "periodic."
Version 2.0	31 January 2011	<ul style="list-style-type: none"> Paragraph [5] – Modified description of acceptable approach for protecting Vital Records per revised ANSI/ARMA standard. Paragraph [6.1] – Added protective storage and protective storage plus dispersal as acceptable means of protecting Vital Records. Paragraph [6.1.1] and [former 6.1.2] – Merged the two paragraphs to include and expand on examples of acceptable protection for Vital Records. Paragraph [6.1.2] – Added option of "protective storage" alone to the risk-based protection scenario. Paragraph [6.6.2] - REMOVED "Retention Period" as a required field. ADDED "Record Owner" as a required field. Minor grammatical and typographical changes
New Standard Version 1.0	30 September 2009	<ul style="list-style-type: none"> New Document Issued

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WWRIM Standard RIMS-14
Version 4.0
31 December 2014
Effective – 01 April 2015

Worldwide Records and Information Management

Management of Records for System Decommissioning Standard

1. Purpose

This standard defines the Johnson & Johnson Records and Information Management requirements for decommissioning a system.

2. Background

Due to aging systems or technology or changing business requirements, the need arises to retire, or decommission, a system. The decommissioning process is complex and involves many stakeholders, including but not limited to IT, the system and data business owner(s), and the Operating Company Records Manager(s).

The Operating Company Records Manager's role is to work with the stakeholders to ensure the Records and Information contained in the system are dispositioned appropriately in accordance with the business needs and the requirements of the *Worldwide Records and Information Management Policy and Standards*.

3. Scope

This standard applies to all Johnson & Johnson Operating Companies.

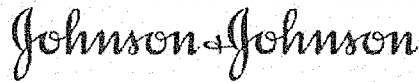
4. Definitions

Reference terms used in this standard are found in the *Worldwide Records and Information Management Program Glossary*.

5. Minimum Implementation Requirements

- 5.1. The Operating Company Records Manager shall work with the business owner of the system and the appropriate IT organization to determine which information shall be retained and which information shall be discarded as part of the decommissioning process.
- 5.2. Information that must be retained in compliance with the requirements of the *J&J Enterprise Retention Schedule* shall be either retained via migration to a new or different system or retained via migration to near-line, off-line storage to be kept until it has met its retention requirements.
- 5.3. Information that is either a Vital Record or a component of a Vital Record shall be retained according to paragraph 5.3. Refer to the *WWRIM RIMS-13 Vital Records Standard* and the *WWRIM RIMS-16 Records and Information Archiving Standard* for further requirements.
- 5.4. Information subject to an active Legal Hold shall be retained according to the requirements of the Johnson & Johnson Law Department.

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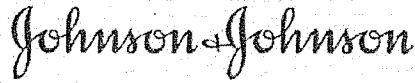


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Management of Records for System Decommissioning Standard

- 5.4.1. Prior to any action to retain information that is under an active Legal Hold, the Records Manager shall consult with the Johnson & Johnson Law Department if necessary.
- 5.5. Information that is retained to either a new or different system or near-line, off-line storage for retention purposes shall be managed during and after the transfer in such a way as to ensure the integrity of the information shall be preserved in accordance with IAPP Information Classification requirements.
- 5.6. The IT organization that is responsible for the actual decommissioning of the software and hardware shall take steps to ensure that any information or information fragments remaining on the system shall be rendered inaccessible and unreadable.
- 5.7. System decommissioning documentation shall include the following:
- 5.7.1. A listing of both the information components to be retained and the information components to be discarded based on Operating Company business needs, retention requirements, and active Legal Holds. Each information component will include the following documentation:
- Record Type;
 - Record Retention Period/Requirement;
 - Information Classification according to the *Worldwide Information Asset Protection Policies* (IAPPs);
 - Whether the information comprises or is part of a Vital Record;
 - Whether the information is under an active Legal Hold (information subject to a Legal Hold shall not be discarded until notification from the Johnson & Johnson Law Department;
- 5.7.2. Approval by the Operating Company Records Manager.
- 5.8. Any system decommission request initiated through the IT Systems Development Life Cycle (SDLC) shall follow the current SDLC Retirement Plan.



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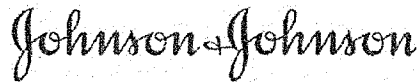
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Management of Records for System Decommissioning Standard

Revision History

Version 4.0	31 December 2014	<ul style="list-style-type: none"> Removed Paragraph [5.1] - not the Operating Company's responsibility. Changed throughout - "Records Retention Schedule" to "Enterprise Retention Schedule."
Version 3.0	31 December 2013	<ul style="list-style-type: none"> Changed throughout "Document Hold" to "Legal Hold" Paragraph [5.1] Clarified wording – Record Managers shall develop a communication to ensure the appropriate business owners consult them when a system is being decommissioned. Paragraph [5.6] Clarified wording – Retaining information shall be managed during and after the transfer in such a way as to ensure the integrity of the information. Paragraph [5.5.1] Clarified wording - Records Manager shall consult with the Johnson & Johnson Law Department if necessary. Paragraph [5.8.3] Removed- redundancy. Paragraph [5.8.4] Removed- inherent within new [5.9]. New Paragraph [5.9] Added - reference to SDLC.
Version 2.0	31 January 2011	<ul style="list-style-type: none"> Paragraph (former)[5.3] – Moved contents of former [5.3] to [5.8.1] Paragraph [5.8] – Revised to reflect the development of system decommissioning documentation is not a Records Manager's responsibility Paragraph [5.8.2] – Revised to reflect requirement for Records Manager's sign-off Paragraph [5.10] – REMOVED – partially replaced with [5.8.2]
New Standard Version 1.0	30 September 2009	<ul style="list-style-type: none"> New Document Issued

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WWRIM Standard RIMS-15
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Effective – 01 April 2015

Worldwide Records and Information Management

Management of Electronic Records and Information Standard

1. Purpose

This standard specifies the minimum requirements related to the management and disposition of electronic Records and Information for Johnson & Johnson Operating Companies.

2. Scope

This standard applies to all Johnson & Johnson Operating Companies.

3. Definitions

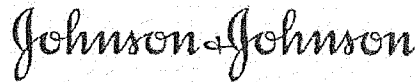
Electronic Records and Information are defined as any combination of text, graphics, data, audio, pictorial, or other information in digital form that is created, modified, maintained, archived, retrieved, or distributed by a computer system or portable electronic device.

All other reference terms used in this standard are found in the *Worldwide Records and Information Management Program Glossary*.

4. Minimum Implementation Requirements

- 4.1. Management of electronic Records and Information shall comply with the *Worldwide Records and Information Management Policy and Standards* requirements as well as with the Johnson & Johnson *Worldwide Information Asset Protection Policies* (IAPPs).
- 4.2. The Operating Company shall develop and implement procedures to assure electronic Records and Information are managed to meeting the following requirements:
 - 4.2.1. Electronic Records and Information shall be subject to the *J&J Enterprise Retention Schedule Standard*;
 - 4.2.2. Electronic Records and Information subject to active Legal Hold Notice shall be retained per the Johnson & Johnson Law Department requirements until formal communication from the Law Department that the Legal Hold Notice has been released;
 - 4.2.3. Electronic Records and Information eligible for disposition shall be disposed of in a secure manner consistent with industry "good practice" to ensure the Records and Information cannot be recovered or reconstructed by any ordinary means.
- 4.3. The Department/Business Unit shall ensure the electronic Records and Information are managed in a manner that is reasonably calculated for completeness, integrity and confidentiality, based upon their characteristics and use.
 - 4.3.1. Systems shall be configured in such a way as to accurately capture or create electronic Records and Information;
 - 4.3.2. Systems operators shall assign security to a system in conformance with IAPP requirements;

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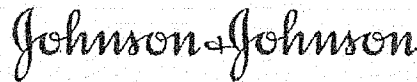


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Version 4.0
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Effective – 01 April 2015

Worldwide Records and Information Management

Management of Electronic Records and Information Standard

- 4.3.3. Systems shall have sufficient Disaster Recovery Backups including the system, application and associated data to protect the production environment from loss or impairment;
 - 4.3.4. The Operating Company shall have a procedure for extracting and preserving information subject to a Legal Hold from the system;
 - 4.3.5. Authorization for access to electronic Records and Information, other than to perform system administration tasks, shall be controlled by the Department/Business Unit;
 - 4.3.6. Electronic Records and Information shall be accessible and managed in active computing environments over the period of time that the information is needed for business purposes.
- 4.4. Electronic Records and Information that are no longer needed for current business operations may be archived as per the *WWRIM RIMS-16 Records and Information Archiving Standard* and in accordance with the Operating Company procedures, if they are otherwise eligible for archiving.



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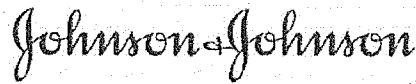
Worldwide Records and Information Management

Management of Electronic Records and Information Standard

Revision History

Version 4.0	31 December 2014	<ul style="list-style-type: none">• Paragraph [4.2.1] – Changed to "RRS" to "Enterprise Retention Schedule Standard."• Paragraph [4.2.3] – Changed "destruction" and "destroyed" to "disposition" and "disposed."
Version 3.0	31 December 2013	<ul style="list-style-type: none">• Changed throughout "Document Hold" to "Legal Hold"• Definitions [3] Added - "or portable electronic device."• Paragraph [former 4.2.3] Removed- condensed within new [4.2.3].• Paragraph [former 4.2.3.2] now [4.4] Included "if they are eligible for archiving."• Paragraph [former 4.2.4] Removed- condensed within new [4.2.3].• Paragraph [former 4.2.5] now [4.2.3] Clarified wording – removed references to other paragraphs.• Paragraph [4.3] Clarified wording. Minor change• Paragraph [4.3.1] Changed - "developed" to "configured"• Paragraph [former 4.3.2 - 4.3.3] Removed- addressed in [4.3.4] and [4.3.5].• Paragraph [former 4.3.4] now [4.3.2] Reworded – simplified wording.• Paragraph [former 4.3.5] now [4.3.3] Clarified wording.• Paragraph [4.3.6] Reworded- Direction for the Operating. Company to have a procedure for extracting and preserving information subject to a legal Hold.
Version 2.0	31 January 2011	<ul style="list-style-type: none">• Paragraph (former) [4.3.3] – REMOVED – partially addressed in [4.3.2].• Paragraph 4.3.5 – removed the word "tape."
New Standard Version 1.0	30 September 2009	<ul style="list-style-type: none">• New Document Issued

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WWRIM Standard RIMS-16
Version 4.0
31 December 2014
Effective – 01 April 2015

Worldwide Records and Information Management

Records and Information Archiving Standard

1. Purpose

This standard specifies the minimum requirements for archiving Records and Information of Johnson & Johnson Operating Companies in electronic formats. The requirements of this standard enable long-term preservation of Records and Information in accordance with laws and policy and to assure access to archived Records and Information. The length of time a record or information is to be retained is indicated on the *J&J Enterprise Retention Schedule (ERS)*.

2. Background

Electronic Records and Information are kept in an active computing environment over the period of time that the information is needed for standard business processes (e.g., analysis, summarizing, active usage), and internal or external auditing/assessments. At the end of this active period, if further retention is required, electronic Records and Information may be archived to an appropriate archive solution using approved *J&J Enterprise Retention Schedule* requirements.

3. Scope

This standard applies to all Johnson & Johnson Operating Companies.

4. Definitions

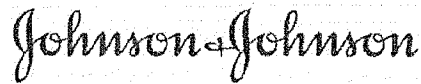
Archives are storage of electronic Records and Information in near-line or off-line storage systems appropriate for long-term storage for a prescribed retention requirement, as stated in the *J&J Enterprise Retention Schedule*.

All other reference terms used in this standard are found in the *Worldwide Records and Information Management Program Glossary*.

5. Minimum Implementation Requirements

- 5.1. The Operating Company Records Manager, working with the IT organization and the Department/Business Unit, shall develop and implement procedures for ensuring Records and Information retained in an archive meet the following requirements:
 - 5.1.1. An archive shall be a separate environment from the production systems where Records and Information reside for daily business needs;
 - 5.1.2. The procedure for moving Records and Information into an archive, including but not limited to the migration process and format of the migrated data, shall be documented;
 - 5.1.3. Records and Information preserved in an archive shall be accessible;
 - 5.1.4. Records and Information preserved in an archive shall be protected from unauthorized alteration to the extent reasonably possible;

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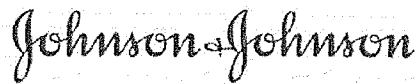
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Version 4.0
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Worldwide Records and Information Management

Records and Information Archiving Standard

- 5.1.5. Records and Information preserved in an archive shall be assigned a retention requirement and monitored for compliance/disposition at the end of the retention;
- 5.1.6. An archive shall:
 - 5.1.6.1. Use technology suitable for that archive;
 - 5.1.6.2. Be stored in an appropriate and safe environment for the media being used;
 - 5.1.6.3. Be backed-up on a regular basis when feasible;
 - 5.1.6.4. Be maintained in a manner that ensures that Records and Information continue to be accessible and readable;
- 5.1.7. Backups used for disaster recovery shall not be used for archiving. Archiving processes and media must be separate.
- 5.2. The Operating Company Department\Business Unit of records being stored in an archive shall be responsible for:
 - 5.2.1. Assigning retention requirements to Records and Information migrated to an archive;
 - 5.2.2. Monitoring expiration of retention requirements for them;
 - 5.2.3. Identifying archived records which must be held due to a Legal Hold Notice;
 - 5.2.4. Ensuring archive records eligible for disposal are reviewed against current active Legal Holds' and if subject to a Legal Hold Notice, are retained until the release notice for the hold has been received from the Johnson & Johnson Law Department;
 - 5.2.5. Maintaining documentation of the retention and disposal of archive records;
 - 5.2.6. Responsible for requesting the availability and the appropriate retention requirement to ensure the records will be available and accessible if needed.
- 5.3. Access to archive records shall be restricted to the Department\Business Unit or those specifically delegated and authorized by the business owner.
- 5.4. Records and Information preserved in an archive shall be indexed for ease of access. The system and/or process to capture and index Records and Information into an archive shall include the following identifiers:
 - Description of Records or Information;
 - Operating Company;
 - Department/Business Unit;
 - Date(s) of record;
 - Record Type(s);
 - Retention requirement;
 - Disposition date, if applicable;
 - Media identification, if applicable;

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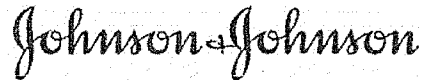
Records and Information Archiving Standard

- Legal Hold Notice, if applicable.

Revision History

Version 4.0	31 December 2014	<ul style="list-style-type: none"> • Changed throughout - "Operating Company Retention Schedule" to "J&J Enterprise Retention Schedule." • Changed throughout - "period" to "requirement." • Changed throughout – "destruction" to "disposal."
Version 3.0	31 December 2013	<ul style="list-style-type: none"> • Changed throughout "Document Hold" to "Legal Hold". • Paragraph [5.1.4] Added - "protected from unauthorized alteration to the extent reasonably possible". • Paragraph [5.1.5] Added – disposition. • Paragraph [5.1.6] Removed – "technology used to either store or manage." • Paragraph [5.1.6.1] Clarified wording. Minor change • Paragraph [5.1.6.2] Clarified wording. Minor change • Paragraph [5.1.6.3] Removed – "disaster and recovery purposes." • Paragraph [5.1.6.4] Clarified wording. Minor change • Paragraph [5.1.7] Revised to include backups used for system restoration shall not be used for archiving. • Paragraph [5.2.4] Revised to include records eligible for destruction are reviewed against current active Legal Holds' and if subject to a Legal Hold Notice, are retained until the release notice for the hold has been received from the Johnson & Johnson Law Department. • Paragraph [former 5.2.5] Removed- condensed within 5.2.4]. • Paragraph [former 5.3] now [5.2.6] Removed the requirement "minimum of six years" and clarified wording. • Moved the last sentence in paragraph [5.3] to the beginning of paragraph [5.4]. • Paragraph [5.4] Added – Legal Hold Notice, if applicable.
Version 2.0	31 January 2011	<ul style="list-style-type: none"> • Paragraph [5.5] – Removed "Last modified date" as a required field
New Standard Version 1.0	30 September 2009	New Document Issued

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Version 4.0
31 December 2014
Effective – 01 April 2015

Worldwide Records and Information Management

Disaster Recovery Backup Retention Standard

1. Purpose

This standard defines the minimal requirements for Johnson & Johnson Operating Companies for retention of data backups.

2. Background

Data backups are generated to ensure that electronic Records and Information, and the systems in which these records reside, can be reconstructed in the event of computer hardware or software failures, computer viruses, natural disaster or other problems in the computer operating environment.

Data backups are not to be used as archive solutions. When circumstances dictate the offline storage of electronic Records and Information for any purpose other than system restoration, the data should be considered for archive information.

3. Scope

This standard applies to all Johnson & Johnson Operating Companies.

4. Definitions

Data backups are snapshots of a computer system, including both business data and system data, created for restoration purposes in the event of disaster or computer environment problems. Backups are intended only for near-term system restoration purposes (backup tapes are used to recover data in the recent past, not years or decades old), and are created and disposed according to an established schedule.

Archives are storage of electronic Records and Information in near-line or off-line storage systems appropriate for long-term storage for a prescribed retention requirement, as stated in the *J&J Enterprise Retention Schedule*.

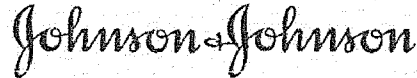
All other reference terms used in this standard are found in the *Worldwide Records and Information Management Program Glossary*.

5. Minimum Implementation Requirements

5.1. Data backups for computer systems shall be generated on a routine basis according to a rotation schedule, which may include generating different types of backups, including incremental, weekly, and monthly backups:

5.1.1. Records and Information Management does not dictate retention requirements for staging or development environments. However, there may be business or other IT requirements that require a mandatory retention for this data. In those cases, these requirements shall apply;

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Disaster Recovery Backup Retention Standard

- 5.2. Disaster recovery backups shall be retained according to the following timeline before they are returned to the rotation cycle (as applicable, depending on media-type):

System Types	Backup Data Maximum Retention Requirement
Global Messaging (email)	30 days
Network and Enterprise Services (including file and print servers)	30 days incremental backups 90 days file level full backup

- 5.3. For any system not covered by the mandatory rotation cycle found in this standard, the Operating Company managing the system shall develop and implement an appropriate rotation cycle. The maximum rotation period shall not exceed 30 days for incremental backups, 30 days for database driven backups and 90 days for file level full backups.

- 5.3.1. In the event that a Legal Hold Notice is issued by the Johnson & Johnson Law Department that requires identification and preservation of disaster recovery backups, those backups shall be preserved as instructed until the Johnson & Johnson Law Department communicates otherwise.

- 5.3.2. When Data backups have met their retention requirement and provided they are not being preserved at the request of the Johnson & Johnson Law Department, the media on which they were copied shall be reused or overwritten. The backups may also be disposed of in compliance with *Johnson & Johnson Information Asset Protection Policy (IAPP) S-26 Worldwide Information System Administration and Management Security Policy* and its associated standards.

- 5.3.3. Data backups may be stored on a variety of appropriate media including, but not limited to, magnetic tape and online disk storage.

- 5.4. Data backups shall be reasonably protected from damage or data loss during the period they are in rotation in compliance with the *Johnson & Johnson Information Asset Protection Policies*, specifically *IAPP S-26 Worldwide Information System Administration and Management Security Policy* and in accordance with written procedures.

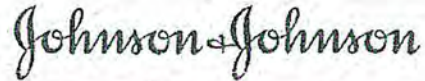
- 5.4.1. If the backups are stored in a facility that is not operated by Johnson & Johnson, that facility shall be audited by the appropriate Johnson & Johnson entity and approved for the type of storage service they are providing.

- 5.4.2. Backup media shall be labeled or tagged with information or metadata sufficient to ensure that the information on the media object can be correlated to a system or repository for purpose of restoration or rotation.

- 5.5. The appropriate organizations and IT Operations responsible for creating, managing and storing disaster recovery backups, shall have formal procedures for the following:

- 5.5.1. Generating data backups;

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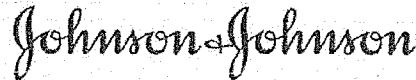
Disaster Recovery Backup Retention Standard

- 5.5.2. Ensuring compliance with storage and protection requirements for those backups per IAPP S-26;
- 5.5.3. Deleting/overwriting backups and/or rotating backup media for reuse after the defined retention requirement has passed;
- 5.5.4. Maintaining data backups in a manner that ensures readability; for the period of time that they are maintained in the active rotation cycle or are subject to a Legal Hold;
- 5.5.5. Restoring system/application and data into production after the loss of the system/application and/or data due to a disaster or business disruption;
- 5.5.6. Receiving formal notification from the Johnson & Johnson Law Department to preserve data backups for Legal Hold Notice purposes, returning those backups to the rotation cycle or releasing for final disposition upon receipt from the Johnson & Johnson Law Department of a release of the Legal Hold Notice;
- 5.5.7. Receiving annual notification from the Johnson & Johnson Law Department identifying which Legal Holds have been released, allowing the backups related to those Legal Holds to also be released;
- 5.5.8. Working with the appropriate organizations in IT and/or the IT Shared Services Records Manager to document and approve exceptions to or changes in the standard data backup process.

Revision History

Version 4.0	31 December 2014	<ul style="list-style-type: none"> • Changed throughout - "Operating Company Retention Schedule" to "J&J Enterprise Retention Schedule." • Changed throughout - "retention period" to "retention requirement." • Changed throughout - "destroyed" to "disposed."
Version 3.0	31 December 2013	<ul style="list-style-type: none"> • Changed throughout "Document Hold" to "Legal Hold". • Purpose [1.] Changed - "minimum" to 'minimal' and "disaster recovery" to "data backup." • Background [2.] Changed - "disaster recovery" to "data backup" in both paragraphs. Second paragraph changed "business reasons" to "circumstances." • Definitions [4.] Changed - "disaster recovery" to "data backup". Revised to include "intended only for

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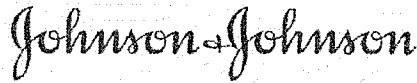
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Disaster Recovery Backup Retention Standard

		<p>near-term system restoration purposes". Second paragraph - included "that require further retention for business or compliance purposes other than disaster recovery" added the definition for near-term.</p> <ul style="list-style-type: none"> • Paragraph [5.1] Changed – "disaster recovery" to "data backup" and "take precedence" to "shall apply." • New Paragraph [5.3] Direction for any system not covered by the mandatory rotation cycle. Added wording in the table "30 days incremental backups" and "90 days file level full back-up." • Paragraph [5.3.2] Included reference to IAPP Policy S-26. • Paragraph [5.3.3] Changed - "disaster recovery" to "data backup." • Paragraph [former 5.3] now [5.4] Changed "in storage and during transport" to "protected from damage or data loss during the period they are in rotation" and "disaster recovery" to "data backup." • New Paragraph [5.4.2] Direction on backup media shall be labeled or tagged for the purpose of restoration or rotation. • Paragraph [former 5.4.4] now [5.5.4] Clarified wording. Minor change • Paragraph [5.4.6] now [5.5.6] Clarified wording. Minor change • Paragraph [former 5.4.7] now [5.5.7] Clarified wording. Minor Change • Paragraph [former 5.5.1] Removed, and Paragraph [former 5.5.1] now [5.5.2].
Version 2.0	31 January 2011	<ul style="list-style-type: none"> • Paragraph [5.1.1] – Specified retention of backups for development environment data is not required from a records management perspective. • Paragraph [5.2] – Clarified that backups are returned to the rotation cycle after their active retention period has expired. • Paragraph [5.4.6] - Changed formal "instruction" to formal "authorization"; • Minor organizational name changes.
New Standard Version 1.0	30 October 2009	<ul style="list-style-type: none"> • New Document Issued

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WWRIM Standard RIMS-18
Version 4.0
31 December 2014
Effective – 01 April 2015

Worldwide Records and Information Management Electronic Messaging Standard

1. Purpose

The purpose of this standard is to define the requirements for managing electronic messages.

2. Scope

This standard applies to all Johnson & Johnson Operating Companies.

3. Definitions

Electronic messages are documents created and transmitted or received via an electronic messaging system, including brief notes, formal or substantive narrative documents, and any attachments, such as word processing or other electronic objects, that may be transmitted with the message along with its descriptive transmission metadata.

All other reference terms used in this standard are found in the *Worldwide Records and Information Management Program Glossary*.

4. Minimum Implementation Requirements

4.1. Electronic messages created or received in the course of doing business for the Johnson & Johnson Family of Companies are subject to required Johnson & Johnson policies and standards, including but not limited to the following:

- *Johnson & Johnson Worldwide Records and Information Management Policy and Standards*;
- *Johnson & Johnson Worldwide Information Asset Protection Policies (IAPPs)* and associated standards;
- AU-5 Electronic Mail and Instant Messaging Acceptable Use Policy.

4.2. Within the Johnson & Johnson Family of Companies, each individual is responsible for managing both their Records and Information and their Convenience Information (see *WWRIM RIMS-2 Convenience Information Standard*).

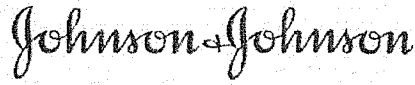
4.3. Electronic messages that are Convenience Information shall be deleted after use provided they are not subject to an active Legal Hold.

4.4. Electronic messages that are not considered Convenience Information shall be retained in a manner consistent with the *J&J Enterprise Retention Schedule*.

4.4.1. Copying of electronic messaging objects from Johnson & Johnson messaging systems to personal repositories such as shared drive folders, local hard drives or portable media devices is prohibited.

4.5. Electronic messages that must be retained per section 4.4 for longer than ninety days shall not be stored on user's home drives or any other network shares.

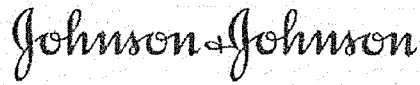
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Worldwide Records and Information Management Electronic Messaging Standard

- 4.6. Any electronic messages, including both Records and Information, and Convenience Information, that are subject to an active Legal Hold, shall be preserved and retained as required and instructed by the Johnson & Johnson Law Department until the Law Department issues a formal release of that Hold.
- 4.7. Preservation of electronic messages for compliance with the *J&J Enterprise Retention Schedule* or for Legal Hold purposes shall ensure insofar as it is feasible that structure, content, metadata, attachments and links, and delivery distribution lists are preserved along with the electronic message.
- 4.8. Electronic messages considered as Records and Information which have met their retention requirement and are not subject to an active Legal Hold shall be disposed.
- 4.9. Any data object created, transmitted received or maintained pursuant to this standard is subject to the requirements of *IAPP AU-5 Electronic Mail and Instant Messaging Acceptable Use Policy*.
- 4.10. Disaster recovery backups of e-mail messages shall be retained as specified in *WWRIM RIMS-17 Disaster Recovery Backup Retention Standard*.



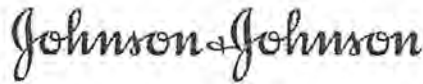
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Worldwide Records and Information Management Electronic Messaging Standard

Revision History

Version 4.0	31 December 2014	<ul style="list-style-type: none">• Changed throughout - "Operating Company Retention Schedule" to "J&J Enterprise Retention Schedule."• Changed throughout - "retention period" to "retention requirement."• Paragraph [4.8] - Changed verbiage – "destroyed" to "disposed."
Version 3.0	31 December 2013	<ul style="list-style-type: none">• Changed throughout "Document Hold" to "Legal Hold".• Paragraph [4.1] Replaced "I/T Enterprise Instant Messaging Usage Policy" with "AU-5 Electronic Mail and Instant Messaging Acceptable Use Policy."• Paragraph [4.4.1] Direction on – The copying of electronic messaging objects from Johnson & Johnson messaging systems is prohibited.• Paragraph [4.5] Clarified wording. Minor change• Paragraph [4.9] Added - the new IAPP Policy number.
Version 2.0	31 January 2011	No changes to this standard
New Standard Version 1.0	30 October 2009	New Document Issued

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WWRIM Standard RIMS-1
Version 5.0
31 December 2016
Effective – 01 April 2017

Worldwide Records and Information Management Records and Information Management Program Standard

1. Purpose

The purpose of this standard is to provide the minimum requirements for the implementation and maintenance of a comprehensive Records and Information Management (RIM) program by each Johnson & Johnson Operating Company. Each program shall be implemented in a manner that complies with the *Johnson & Johnson Worldwide Records and Information Management Policy and Standards*.

2. Scope

This standard applies to all Johnson & Johnson Operating Companies.

3. Background

An effective RIM program ensures consistent and cost-effective management of Records and Information throughout their entire lifecycle from creation through final disposition. A RIM program is implemented based on the organization's business needs, as well as legal and regulatory requirements. These elements serve to mitigate risks related to managing Records and Information.

4. Definitions

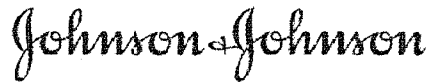
Reference terms used in this standard are found in the *Worldwide Records and Information Management Program Glossary*.

5. Minimum Implementation Requirements

- 5.1. Each Operating Company shall establish a RIM program that complies with all provisions of the Worldwide Records and Information Management Policy and Standards.
- 5.2. The RIM program shall have documented procedures for managing, tracking, protecting, storing, and disposing of Records and Information throughout their lifecycle regardless of format or medium.
 - 5.2.1. Procedures shall address local business requirements;
 - 5.2.2. Procedures shall be formally reviewed and approved by appropriate Senior Management (e.g., Director-level or higher);
 - 5.2.3. Procedures shall be reviewed and updated every two years, at minimum, unless business changes require it sooner;
 - 5.2.4. Changes to procedures shall be documented;

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5.2.5. The most recent review and approval date shall be documented, even if no changes are made to the procedure;

5.2.6. Procedures may be supported, as appropriate, by work instructions, tools, and/or processes.

6. Responsibilities

6.1. Operating Company Management

The President/Managing Director/Head of each Johnson & Johnson Operating Company is responsible for the planning, implementation, and on-going compliance with the *Worldwide Records and Information Management Policy and Standards* through the establishment of a RIM program, including:

6.1.1. Designating a Records Manager and Department/Business Unit Records Coordinators;

6.1.2. Allocating adequate resources to implement and maintain a compliant RIM program;

6.1.3. Providing guidance on priorities for the performance and maintenance of the RIM program;

6.1.4. Maintaining oversight of the RIM program.

6.2. Management

Managers/supervisors/sponsors are responsible for ensuring their Associates have the appropriate tools, training, and information needed to comply with RIM program requirements.

6.3. Associates

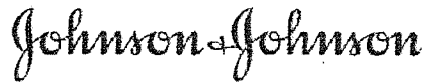
All Associates are responsible for maintaining their Records and Information in compliance with RIM program requirements.

6.4. Worldwide Records and Information Management Program Office

The WWRIM Program Office is responsible for the overall governance and strategic direction for Records and Information Management across the Johnson & Johnson Family of Companies. This responsibility includes maintaining and publishing the *Worldwide Records and Information Management Policy and Standards* and the *J&J Enterprise Retention Schedule*.

6.5. Records Manager

The Records Manager is the designated central point of contact for all RIM matters in the Operating Company or Companies for which he or she is accountable and is responsible for the following:



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- 6.5.1. Implementing and maintaining a company-wide RIM program in compliance with the *Worldwide Records and Information Management Policy and Standards*;
- 6.5.2. Providing clear communications and guidance to educate Associates on the RIM program requirements;
- 6.5.3. Developing RIM lifecycle processes and procedures;
- 6.5.4. Ensuring appropriate training and awareness on RIM program requirements is available and provided to employees, records coordinators, contractors/consultants, vendors and external business partners;
- 6.5.5. Completing the required Operating Company RIM program assessments;
- 6.5.6. Working with Departments/Business Units to implement and maintain compliance with the *J&J Enterprise Retention Schedule*;
- 6.5.7. Facilitating RIM compliance assessments with Departments/Business Units;
- 6.5.8. Implementing and managing RIM services such as inactive storage solutions and/or acquiring such services provided by external vendors, as appropriate;
- 6.5.9. Providing guidance for supplier agreements to ensure alignment with the J&J Enterprise Retention Schedule and Legal Hold preservation requirements;
- 6.5.10. Partnering with various Johnson & Johnson departments, such as Worldwide Records and Information Management (WWRIM), Information Technology, the Law Department and Worldwide Privacy to ensure alignment.

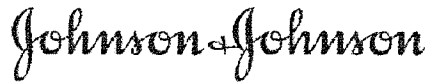
6.6. Records Coordinator

The Records Coordinator serves as a liaison between the Department/Business Unit and the RIM program to assist and support compliance with RIM requirements, and is responsible for the following:

- 6.6.1. Ensuring RIM requirements and other routine activities and processes within the Department/Business Unit are conducted in compliance with WWRIM and local requirements;
- 6.6.2. Serving as the Business Unit/Department RIM subject matter expert;
- 6.6.3. Participating in RIM Compliance Assessments for their Department/ Business Unit.

6.7. Law Department

The Law Department has the following responsibilities in support of RIM activities:

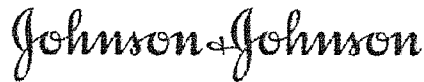


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- 6.7.1. Defining Legal Hold preservation requirements;
 - 6.7.1.1. Determining the scope of Records and Information subject to Legal Hold Notices pursuant to actual or reasonably anticipated litigation or investigation, or other legal and regulatory proceedings.
 - 6.7.1.2. Identifying custodians of Records and Information subject to Legal Hold Notices.
 - 6.7.1.3. Notifying individual custodians and the appropriate Records Manager of Legal Hold Notices, their scope, and their responsibilities.
 - 6.7.1.4. Providing training for Associates and other applicable stakeholders on Legal Hold management tools.
 - 6.7.1.5. Collaborating with Records and Information Management and Information Technology to raise awareness of Legal Hold preservation requirements, as applicable.
 - 6.7.1.6. Issuing releases of Legal Hold Notices.
- 6.7.2. Defining requirements for identification, collection, and production of Records and Information to support legal obligations;
 - 6.7.2.1. Collaborating with Records and Information Management and Information Technology to identify potential data repositories.
- 6.7.3. Reviewing and accepting the J&J Enterprise Retention Schedule;
- 6.7.4. Providing guidance on local Legal processes at Operating Companies such as acceptance of legal documents;
- 6.7.5. Providing legal guidance for mergers, acquisitions, and divestitures. Collaborating with Records and Information Management and Information Technology as it pertains to Records and Information.



WWRIM Standard RIMS-1
Version 5.0
31 December 2016
Effective – 01 April 2017

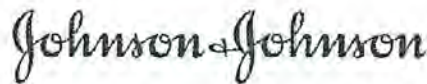
Worldwide Records and Information Management

Records and Information Management Program Standard

Revision History

Version 5.0	31 December 2016	<ul style="list-style-type: none"> • Purpose [1] & Background [former 2] Clarified wording. • Paragraph [5.2] Clarified wording. • Paragraph [5.2.3] Updated "on a biennial basis" to "every two years" for clarification. • Added paragraph [5.2.4] Changes to procedures shall be documented. • Removed paragraph [former 6.2.6] Requirement addressed in paragraph [5.2]. • Removed paragraph [former 6.2.7] Requirement addressed in paragraph [5.2.4] • Removed paragraph [former 6.3] No longer required. • Removed paragraph [former 6.3.1] Requirement addressed in paragraph [5.2]. • Removed paragraph [former 6.3.2] Requirement addressed in RIMS-10. • Removed paragraphs [former 6.3.3, 6.3.3.1, 6.3.3.2] Supplier requirements are addressed in paragraph [6.5.9]. • Responsibilities [6] Reordered the roles listed in this section. Added Management and Associates. • Paragraph [6.1.1] Added the designation of Department/Business Unit Records Coordinators to Operating Management's responsibilities. • Paragraph [6.1.2] Removed "...in accordance with the WWRIM requirements" as is it addressed in [5.1]. • Paragraph [6.1.3] Expanded the priorities to include performance and maintenance of a compliant RIM program. • Paragraph [former 5.2.2] Removed reference to documented guidelines and a current Legal Hold Notice Report. Added responsibility for providing guidance on RIM program requirements. • Paragraph [former 5.2.3] Added "processes." • Paragraph [former 5.2.4] Added "records coordinators, external business partners and consultants." • Paragraph [former 5.2.5] Removed requirement for submitting annual reports to WWRIM. • Removed paragraph [former 5.2.6] Providing updates to OpCo Senior Management and the WWRIM Program Office. • Paragraph [former 5.2.7] Clarified wording.
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WWRIM Standard RIMS-1
Version 5.0
31 December 2016
Effective – 01 April 2017

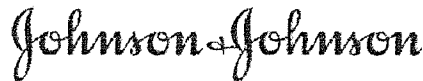
Worldwide Records and Information Management

Records and Information Management Program Standard

		<ul style="list-style-type: none"> • Paragraph [former 5.2.9] Removed reference to "other RIM products." • Added paragraph [6.5.9] Providing guidance for supplier agreements. • Paragraph [former 5.2.10] Removed "eDiscovery." Changed "Johnson and Johnson Law Department" to "Law Department." • Paragraph [former 5.3] Clarified wording. Removed reference to different Records Coordinator names. Moved responsibility for assigning Records Coordinators to paragraph [6.1.1]. Removed reference to Records Coordinator training as it is addressed in paragraph [6.5.4]. Removed details for assigning Records Coordinators. • Paragraph [former 5.3.1] Removed reference to identification and labeling. • Paragraph [former 5.3.2] Replaced "local" with "Business Unit/Department RIM" subject matter expert. • Removed paragraph [former 5.3.3] Coordinating the transfer for records to/from inactive storage may not be a Records Coordinator's responsibility. • Removed paragraph [former 5.3.4] Acquisition of RIM services and supplies may not be a Records Coordinator's responsibility. • Paragraph [former 5.3.5] Removed "coordination." • Paragraph [6.7] Changed "Johnson & Johnson Law Department" to "Law Department." • Added paragraph [6.7.1.] Defining Legal Hold preservation requirements. • Paragraph [former 5.4.1] Added "...actual or reasonably anticipated litigation or investigation..." • Paragraph [former 5.4.2] Removed reference to repositories likely to contain Records and Information. • Removed paragraph [former 5.4.4] The Law Department no longer provides Legal Hold Notice Reports to OpCo Records Managers on a semiannual basis. • Removed paragraph [former 5.4.5] Addressed in paragraph [6.7.1]. • Added paragraph [6.7.1.4] Responsibility for providing training for Associates and other applicable stakeholders on Legal Hold management tools; • Added paragraph [6.7.1.5] Collaborating with
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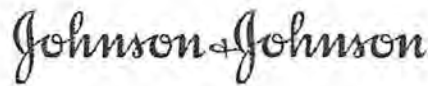
WWRIM Standard RIMS-1
Version 5.0
31 December 2016
Effective – 01 April 2017

Worldwide Records and Information Management

Records and Information Management Program Standard

		<p>Records and Information Management and Information Technology to raise awareness of Legal Hold preservation requirements, as applicable.</p> <ul style="list-style-type: none"> • Added paragraph [6.7.1.6] Responsibility for issuing releases of Legal Hold Notices. • Added paragraph [6.7.2] Defining requirements for the identification, collection, and production of Records and Information to support legal obligations. • Added Paragraph [6.7.2.1] Collaborating with Records and Information Management and Information Technology to identify potential data repositories. • Removed paragraph [former 5.4.6] The Operating Company Board Attorney responsibilities are covered under the broader "Law Department." • Paragraph [former 5.4.6.2] Changed "reviewing written procedures" to "providing guidance on legal processes at Operating Companies." • Added paragraph [6.7.5] Responsibility for providing legal guidance for mergers, acquisitions, and divestitures. Collaborating with Records and Information Management and Information Technology as it pertains to Records and Information. • Removed paragraph [former 5.5] People Supervisor responsibilities are addressed in paragraph [6.2] Management.
Version 4.0	31 December 2014	<ul style="list-style-type: none"> • Removed paragraph [5.3.4] – no longer pertains to new ERS Standard. • Paragraph [5.5] Clarified wording – condensed "employees and other personnel" to "Associates." • Changed throughout – "Manager/Supervisor/Sponsor" to "Supervisor." • Changed throughout Records Retention Schedule (RRS) to J&J Enterprise Retention Schedule. • Paragraph [6.2.7] Clarified wording – process. • Paragraph [6.2.3] former – Removed Boundary Agreements requirement.
Version 3.0	31 December 2013	<ul style="list-style-type: none"> • Changed throughout "Document Hold" to "Legal Hold". • Purpose [1] Added emphasizing wording. • Paragraph [5.1.1] Clarified wording – designation of a Records Manager. • Paragraph [5.2] Clarified wording- eliminated redundancy.

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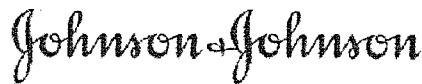


WWRIM Standard RIMS-1
Version 5.0
31 December 2016
Effective – 01 April 2017

Worldwide Records and Information Management

Records and Information Management Program Standard

		<ul style="list-style-type: none"> • New Paragraph [5.2.2] Provide communication/guidelines for the handling of records during the normal course of business. • New Paragraph [5.2.10] Lists out the various Johnson & Johnson departments. • Paragraph and Note section at the end of [5.3] Combined and clarified wording. • New paragraphs [5.3.1- 5.3.2] Added additional Record Coordinator responsibilities. • New Paragraphs [5.4.4 – 5.4.5] Added additional Law Department and IT eDiscovery responsibilities. • Paragraph [5.5] Clarified wording- broadened the scope of "staff" • Paragraphs [6.2.1] Clarified wording- condensed redundancy. • Paragraph [former 6.2.2] Removed- unnecessary, as supported in the rest of 6.2. • Paragraph [former 6.2.7] Removed- reflected in [6.2.6]. • Paragraph [former 6.2.8] now [6.2.6] Clarified wording. Minor change • Paragraphs [former 6.3.2- 3, 4, 6, 7, 8] Removed- reorganized in concise manner in updates. • Paragraph [former 6.3.5] now [6.3.2] Clarified wording. Minor change
Version 2.0	31 January 2011	<ul style="list-style-type: none"> • Paragraph 5.4.2 – Changed Law Department responsibility : "Coordinating and conducting document preservation and other discovery activities" • Paragraph 5.4.3.1 – Removed review for "legal compliance" • Paragraph 5.4.3.2 – Clarified Law Department responsibility for specific reviewing procedures • Minor edits
Version 1.1	17 June 2010	<ul style="list-style-type: none"> • Change "biannual" to "biennial"
New Standard Version 1.0	30 Sept 2009	<ul style="list-style-type: none"> • New Document Issued



WWRIM Standard RIMS-2
Version 5.0
31 December 2016
Effective – 01 April 2017

Worldwide Records and Information Management

Convenience Information Standard

1. Purpose

The purpose of this standard is to define Convenience Information and provide the requirements for managing, retaining, and disposing this type of information.

2. Scope

This standard applies to all Johnson & Johnson Operating Companies.

3. Background

Not all information created or received by Johnson & Johnson is a business record. Some information is created or maintained informally or for personal purposes. Information may be considered Convenience Information if:

- It is a copy of a record maintained elsewhere and printed or otherwise captured for the use and convenience of a particular person;
- It is a record which has transitory or short-term business value.

4. Definitions

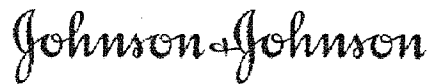
Reference terms used in this standard are found in the ***Worldwide Records and Information Management Program Glossary***.

5. Minimum Implementation Requirements

Convenience Information should be kept no longer than necessary for business or legal purposes and may be discarded with the following considerations:

- 5.1 Convenience Information subject to a Legal Hold shall be retained and preserved in accordance with this standard and the requirements of the Law Department.
- 5.2 Convenience Information shall not be sent to off-site storage or be archived unless such information is being preserved in compliance with a Legal Hold.
- 5.3 When disposing of Convenience Information, care shall be taken to ensure that any Convenience Information containing elements of classified Johnson & Johnson information (as defined in *IAPP S-4 Worldwide Information Classification Policy*) is disposed of in a secure manner commensurate with the requirements of *IAPP S-5 Worldwide Information Protection Policy* to prevent unauthorized disclosure of such classified information during or after the disposal process.
- 5.4 Examples of Convenience Information:
 - 5.4.1 Personal Working Files: Drafts (where a final version exists), rough notes, or revisions of paper or electronic records used to create official signed documents.

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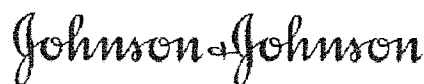


WWRIM Standard RIMS-2
Version 5.0
31 December 2016
Effective – 01 April 2017

Worldwide Records and Information Management

Convenience Information Standard

- 5.4.2 Transitory Correspondence: Casual correspondence (including e-mails) often created for administrative purposes such as to facilitate meetings or for internal communications.
- 5.4.3 Duplicate Copies: Duplicates of a document, that have not been altered with notations or comments, where the record or information holder is not the owner of that record. Only the original master must be retained.
- 5.4.4 Catalogs and Trade Journals: Reference materials, catalogs, trade journals, bulletins, magazines, manuscripts, brochures, conference/seminar handouts, manuals, external newsletters, and supplier files that are external publications.
- 5.4.5 Templates: Blank document templates that have become obsolete and are no longer in use.



WWRIM Standard RIMS-2
Version 5.0
31 December 2016
Effective – 01 April 2017

Worldwide Records and Information Management

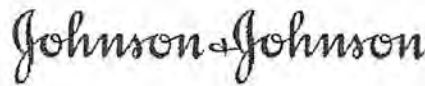
Convenience Information Standard

Revision History

Version 5.0	31 December 2016	<ul style="list-style-type: none"> • Background [former 2] Clarified wording. [second bullet] Removed reference to the J&J ERS [former third bullet] Removed reference to non record material. • Paragraph [5] Reordered requirements. Added "Convenience Information should be kept no longer than necessary for business purposes and may be discarded with the following considerations:" • Paragraph [5.1] Changed "Legal Hold Notice" to "Legal Hold." Removed "...until further notice from the Johnson & Johnson Law Department." • Paragraph [former 5.2] Added reference to IAPP S-5. • Paragraph [former 5.3] Changed "Legal Hold Notice" to "Legal Hold." • Paragraph [5.4] Clarified that the sub points are examples of Convenience Information. • Paragraph [5.4.1] Removed last sentence about disposing of personal working files provided they are not subject to a Legal Hold Notice as it is addressed in paragraph [5.1]. • Paragraph [5.4.2] Removed last sentence about disposing of transitory correspondence provided it is not subject to a Legal Hold Notice as it is addressed in paragraph [5.1]. • Paragraph [5.4.3] Clarified wording. Removed last sentence about disposing of duplicate copies provided they are not subject to a Legal Hold Notice as it is addressed in paragraph [5.1]. • Paragraph [former 5.4.4] Removed Extra Copies example as it is addressed in paragraph [5.4.3], Duplicate Copies. • Paragraph [former 5.4.5] Removed last sentence about disposing of catalogs and trade journals provided they are not subject to a Legal Hold Notice as it is addressed in paragraph [5.1]. • Paragraph [former 5.4.6] Removed last sentence about disposing of templates
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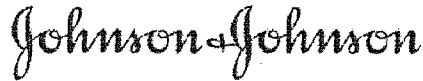
WWRIM Standard RIMS-2
Version 5.0
31 December 2016
Effective – 01 April 2017

Worldwide Records and Information Management

Convenience Information Standard

		provided they are not subject to a Legal Hold Notice as it is addressed in paragraph [5.1].
Version 4.0	31 December 2014	<ul style="list-style-type: none"> Changed throughout - "Operating Company Retention Schedule" to "J&J Enterprise Retention Schedule." Changed throughout - "period" to "requirement."
Version 3.0	31 December 2013	<ul style="list-style-type: none"> Changed throughout "Document Hold" to "Legal Hold". Introduction section- Added additional information to the paragraph and bullets to elaborate on the meaning of Convenience Information. Paragraph [former 5.1] Removed – information inherent within 5.2. Paragraph [5.3] Added additional wording- "as defined in IAPP S-4 Worldwide Information Classification Policy." Paragraph [5.3] Removed wording "disposed of in a secure manner." Paragraph [5.5.3] Removed wording- "exact copies of records and information without any notations or comments." Paragraph [former 5.5.4] Removed wording- "without any notations or comments." Paragraph [former 5.5.5] Removed as subparagraph and condensed into [5.4.5], see following note: Paragraph [5.4.5] Added -"Reference Materials." Paragraph [5.4.6] Removed wording- "Unused or blank templates that have not been filled out or completed". Replaced with "Blank document templates that have become obsolete and are no longer in use and if not admissible according to pertinent regulations."
Version 2.0	31 January 2011	<ul style="list-style-type: none"> Paragraphs [5.5.3] and [5.5.4] – Clarified language regarding what constitutes exact copies.
New Standard Version 1.0	30 September 2009	<ul style="list-style-type: none"> New Document Issued

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WWRIM Standard RIMS-4
Version 5.0
31 December 2016
Effective – 01 April 2017

Worldwide Records and Information Management

Historic Records Preservation Standard

1. Purpose

This standard establishes the criteria for preservation of Records and Information that are determined by the Operating Company to be of historic value.

2. Scope

This Standard applies to all Johnson & Johnson Operating Companies.

3. Background

Historic Records are Records and Information that have a historic value pertaining to the original and ongoing development of the organization, its mission, programs, products, major achievements, failures, significant events and personalities, and societal relationships. Historic Records and Information may include, but are not limited to, product and product packaging, promotional and marketing materials, product displays, books, photographs, artistic renderings, audiovisual and digital material.

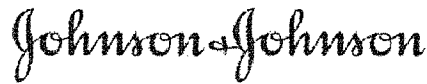
4. Definitions

Reference terms used in this standard are found in the *Worldwide Records and Information Management Program Glossary*.

5. Minimum Implementation Requirements

- 5.1. The Operating Company shall identify the types of Records and Information, if any, that have historic value.
- 5.2. Records and Information identified as "historic" shall be reviewed with the J&J World Headquarters Chief Historian/ Archivist for determination of value to the organization.
 - 5.2.1. The Chief Historian/Archivist shall determine where the historic Records and Information should be housed.
 - 5.2.2. The Chief Historian/Archivist shall provide guidance for the use of and access to historic Records and Information for research or legal purposes.
- 5.3. The following data shall be recorded for historic Records and Information that is accepted into archive for historic preservation:
 - Transferring office;
 - Date of transfer;
 - Records title and other unique identifiers;
 - Date(s) associated with historic record;
 - Special instructions for archiving;
 - Description and/or background information, if applicable;

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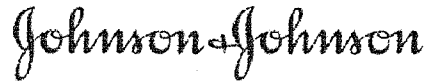


WWRIM Standard RIMS-4
Version 5.0
31 December 2016
Effective – 01 April 2017

Worldwide Records and Information Management

Historic Records Preservation Standard

- Any origin associated with the record necessary or desirable to establish its historic status or provide context for it.
- 5.4. The custodian of historic Records and Information shall:
- 5.4.1. Take reasonable measures to preserve historic Records and Information from damage, manipulation, destruction by negligence, sabotage or a natural disaster of any kind;
 - 5.4.2. Preserve under environmental conditions appropriate for long-term preservation;
 - 5.4.3. Implement controls to prevent changes or modifications, which take into account the format and/or storage medium of the record;
 - 5.4.4. Conduct periodic reviews to ensure the historic Records and Information remains intact and retrievable;
 - 5.4.5. Store electronic historic Records and Information, preserved in digital format, on media that conforms to ANSI/ISO standards;
 - 5.4.6. Partner with Information Technology, at a minimum once every six years, to evaluate if the current technology solution is still viable for electronic historic Records and Information. If necessary, transfer to a new technology solution.



WWRIM Standard RIMS-4
Version 5.0
31 December 2016
Effective – 01 April 2017

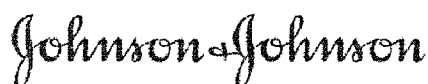
Worldwide Records and Information Management

Historic Records Preservation Standard

Revision History

Version 5.0	31 December 2016	<ul style="list-style-type: none"> • Background [former 2] Clarified. Added examples of Historic Records and Information from Scope [former 3]. Expanded examples to include product and product packaging. • Scope [former 3] Moved language to Background [3]. Removed the standard shall be considered a "guidance" if the responsibility for managing historic records resides outside the RIM department. • Paragraph [5.1] Removed requirement for documented criteria for determining records that have historic value and procedures for maintaining these. Added that the OpCo shall identify types of Records and Information, if any, that have historic value. • Paragraph [5.2] Changed "Kilmer House Archivist" to "J&J World Headquarters Chief Historian/Archivist." • Paragraph [5.2.2] Added Chief Historian/Archivist responsibility for providing guidance for the use of and access to historic Records and Information for research or legal purposes. • Paragraph [former 5.4] Moved to paragraph [5.2.2]. Changed responsibility from OpCo to Chief Historian/Archivist. • Paragraph [5.4] Added responsibilities for the custodian of the historic Records and Information. • Paragraph [former 5.5] Moved to paragraph [5.4.2]. • Paragraph [former 5.6] Moved to paragraph [5.4.5]. • Paragraph [former 5.7] Move to paragraph [5.4.6] and clarified wording. • Paragraph [former 5.8] Moved to paragraphs [5.4.1 and 5.4.3]. • Removed paragraph [former 5.9] Historic records and information retention requirement as it is documented on the J&J ERS.
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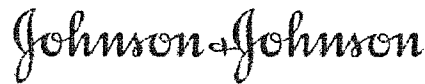
WWRIM Standard RIMS-4
Version 5.0
31 December 2016
Effective – 01 April 2017

Worldwide Records and Information Management

Historic Records Preservation Standard

Version 4.0	31 December 2014	<ul style="list-style-type: none"> • Changed throughout – “historical” to “historic.” • Paragraph [5.2] – added direction to take instruction from the Kilmer House Archivist as to determination of Historic Records. • Paragraph [5.9] - Changed “Life of Organization” to “Indefinitely”. • Changed throughout - “retention period” to “retention requirement”. • Paragraph [5.4] Changed “criteria and procedures” to “guidelines.” • Changed throughout - “Operating Company Retention Schedule” to “Enterprise Retention Schedule.”
Version 3.0	31 December 2013	<ul style="list-style-type: none"> • Scope [3] Changed – “video tapes, audiotapes, movies etc.” to “audiovisual material”. Clarified wording and removed Note: referring to GxP. • Paragraph [5.3] Added additional data to be recorded. • Paragraph [5.5] Clarified wording- direct instructions. • Paragraph [5.8] Clarified wording to ensure understanding.
Version 2.0	31 January 2011	<ul style="list-style-type: none"> • No changes to this standard
New Standard Version 1.0	30 September 2009	<ul style="list-style-type: none"> • New Document Issued

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WWRIM Standard RIMS-5
Version 6.0
30 March 2018
Effective – 31 December 2018

Worldwide Records and Information Management

Physical Inactive Records and Information Storage Standard

1. Purpose

This standard provides the criteria for managing physical inactive (hereafter referred to as inactive) Records and Information until their final disposition and for selecting a facility to store Johnson & Johnson inactive Records and Information.

2. Scope

This standard applies to all Johnson & Johnson Operating Companies.

3. Background

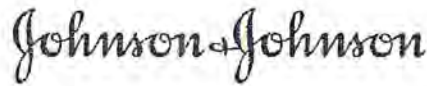
Inactive Records are defined as Records and Information that are no longer needed to conduct current business, but must be preserved until their retention requirement has expired. Only Records and Information that must be retained for business, legal, privacy or regulatory purposes should be sent to inactive storage. Convenience information should not be sent to inactive storage unless it is being preserved in compliance with a Legal Hold. Inactive Records and Information should be moved to a secure storage location which provides at a minimum (1) physical security including protection from unauthorized access, and (2) protection against damage due to natural disasters.

4. Definitions

Inactive Records are defined in section 3 of this standard. Other reference terms used in this standard are found in the ***Worldwide Records and Information Management Program Glossary***.

5. Minimum Implementation Requirements

- 5.1. Operating Companies shall meet the following minimum requirements for managing inactive Records and Information.
 - 5.1.1. Apply *J&J Enterprise Retention Schedule* retention requirements to all inactive Records and Information;
 - 5.1.2. Apply and remove Legal Holds from Records and Information in inactive storage;
 - 5.1.3. Utilize a J&J managed system to track inactive Records and Information. The J&J managed system shall track the following metadata fields:



WWRIM Standard RIMS-5
Version 6.0
30 March 2018
Effective – 31 December 2018

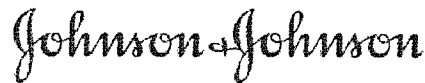
Worldwide Records and Information Management

Physical Inactive Records and Information Storage Standard

Enterprise Metadata Fields (39 Total)	
Required (20)	Required when Applicable (19)
Box Destruction Date	Comments
Box Site	Compound Name
Company Name	End Date of Product
Country	End Date of System
Country of Origin	GxP
Create Date	Internal Box Number
Date of Records From	J&J Legal Matter Number(s)
Date of Records To	PII
Department	Product Name
Destruction Review Date	Quality
ERS Code	Record Destruction Date
ERS Functional Category	Records Management Receipt Date
ERS Retention Requirement	Record Title
General Box Description	SOX
Legal Hold	System Name
MRC of Creator	Tax
Name of Creator	Vendor Account Number
Record Description	Vendor Box Number
Status of Record	Vital Classification
WWID of Creator	

- 5.1.4. Implement procedures for tracking, transferring and receiving inactive Records and Information;
- When an external Vendor is utilized the external Vendor systems must capture the Vendor Box Number and when applicable J&J Internal Box Number.
 - Methods for labeling may include a unique identifier, barcode, Radio Frequency Identification (RFID) chip, or similar machine-readable device.
- 5.1.5. Return Records and Information to storage upon completion of the use for which they were retrieved;
- 5.1.6. Manage access/authorization to send and retrieve Records and Information to and from inactive storage including the following:
- Ensure Associates are appropriately trained on inactive record transfers prior to obtaining their access/authorization;
 - Ensure access/authorization is terminated once the Associate no longer requires it (due to job change, termination, etc.).

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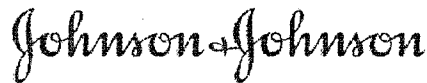
WWRIM Standard RIMS-5
Version 6.0
30 March 2018
Effective – 31 December 2018

Worldwide Records and Information Management

Physical Inactive Records and Information Storage Standard

- 5.1.7. Conduct disposal in compliance with the *J&J Enterprise Retention Schedule* when retention requirements have been met and when there are no Legal Holds in place;
 - Records and Information disposal shall be conducted in a secure manner commensurate with the requirements of *IAPP S-5 Worldwide Information Protection Policy* and consistent with industry good practices to ensure the Records and Information cannot be recovered or reconstructed by any ordinary means;
 - Department/Business Unit management shall approve disposal of their inactive Records and Information;
 - The RIM program shall maintain disposal documentation for inactive Records and Information as per the *J&J Enterprise Retention Schedule*.
- 5.2. Inactive Records and Information stored on-site or at an offsite J&J approved vendor shall meet the following:
 - 5.2.1. The facility shall track and control the chain of custody of the Records and Information;
 - 5.2.2. The facility shall have security measures in place to prevent unauthorized access and these measures are to be tested and documented;
 - 5.2.3. The facility shall maintain a list of personnel authorized to access the Records and Information;
 - 5.2.4. The facility shall maintain documentation that associates are appropriately trained on all aspects of the operations;
 - 5.2.5. Climate controls shall be established so as to comply with industry good practices for that geographic region for the type of media being stored;
 - 5.2.6. Adequate notice shall be provided to the Operating Company by the storage provider for any changes in procedures and or services;
 - 5.2.7. The facility shall have fire suppression capability that at least meets industry norms;
 - 5.2.8. The facility shall take reasonable precautions to ensure protection from floods or other natural disasters.
- 5.3. In addition to meeting the requirements of paragraph 5.2, offsite J&J approved vendors shall meet the following requirements:
 - 5.3.1. A written agreement with the Operating Company which shall include language for services that address normal business operations, compliance with the *Johnson & Johnson Worldwide Information Asset Protection Policies* (IAPPs) and any other special requirements;
 - 5.3.2. Employees and contractors shall be properly screened and bonded;

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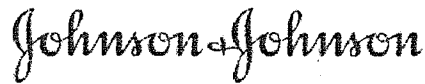


WWRIM Standard RIMS-5
Version 6.0
30 March 2018
Effective – 31 December 2018

Worldwide Records and Information Management

Physical Inactive Records and Information Storage Standard

- 5.3.3. Vendors shall have the appropriate business continuity plans that address both natural and man-made disasters with documented procedures. Business continuity plans and processes shall meet the local requirements and must be tested annually at minimum;
- 5.3.4. Vendors shall allow inspection by Johnson & Johnson during normal business hours.
- Audits of the storage facility shall be conducted by one of the Johnson & Johnson Operating Companies. Audits conducted by one Operating Company may be leveraged by other Operating Companies using the same storage facility.
 - Vendor facility audits are used to onboard the site and quality audits/assessments should be performed using a risk based approach.
 - Vendor Corporate audits/assessments of common global processes can be leveraged for other vendor facility locations.
 - New storage facilities must be pre-qualified by a Johnson & Johnson Operating Company prior to use. Pre-qualification includes a review of the storage facility against, at minimum, the requirements of this standard.



WWRIM Standard RIMS-5
Version 6.0
30 March 2018
Effective – 31 December 2018

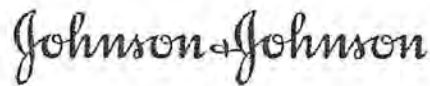
Worldwide Records and Information Management

Physical Inactive Records and Information Storage Standard

Revision History

Version 6.0	30 March 2018	<ul style="list-style-type: none">• Added verbiage to section 3 and 4 defining definition of Inactive Records• Reworded section 5.1.3 to include metadata requirements and added a table of the metadata requirements• Reworded section 5.1.4 to capture procedures for tracking.• Reworded section 5.3.4 to reference a risk based approach and clarified audits/assessments.
Version 5.0	31 December 2016	<ul style="list-style-type: none">• Changed title from "Inactive Records and Information Standard" to "Physical Inactive Records and Information Standard."• Changed "records" to "Records and Information" and "commercial third-party storage facility" to "offsite J&J approved vendor."• Background [former 2] Clarified wording.• Paragraph [5.1] Clarified wording.• Added paragraph [5.1.1] Apply J&J ERS retention requirements to all inactive records and Information.• Added paragraph [5.1.2] Apply and remove Legal Holds from Records and Information in inactive storage.• Added paragraph [5.1.3] Implement procedures for tracking, transferring and receiving inactive Records and Information.• Paragraph [former 5.1.1.1] Clarified wording. Added "Box number" and "ERS Retention Requirement." Changed "Record Code" to "ERS Code", "Record title" to "ERS Functional Category", and "Creation date and/or date span of records in container" to "Date or Date Range of Records and Information." Removed requirement for historical classification. Expanded methods for labeling to include a unique identifier.• Removed paragraph [former 5.1.2].• Paragraph [former 5.1.3] Reworded and expanded requirement to include tracking, transferring and receiving.• Paragraph [former 5.1.4] Removed <u>procedural</u> requirement for managing access/authorization.• Removed paragraph [former 5.1.4.1] Addressed in paragraph [5.1.5].

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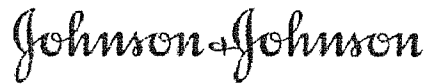
WWRIM Standard RIMS-5
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Worldwide Records and Information Management

Physical Inactive Records and Information Storage Standard

		<ul style="list-style-type: none"> Removed paragraphs [former 5.1.4.1 & 5.1.4.2] Addressed in paragraph [5.1.5]. Paragraph [former 5.1.7] Moved to paragraph [5.1.2]. Removed <u>procedural</u> requirement for applying Legal Holds. Paragraph [5.1.9] Moved to paragraph [5.1.4]. Removed <u>procedural</u> requirement for promptly and systematically returning records to storage. Paragraph [former 5.1.10] Moved to paragraph [5.1.6] Removed <u>procedural</u> requirement for conducting defensible disposal. Paragraph [former 5.1.10.2] Removed paragraph [former 5.1.10.3]. Paragraphs [former 5.1.10.2 & 5.1.10.5] Changed disposal eligibility and authorization documentation and certificates of destruction to disposal documentation. Removed paragraph [former 5.1.11] and all related sub-bullets pertaining to the process for extending the retention requirement of records due for disposal. Removed paragraph [former 5.2.1]. Removed paragraph [former 5.3.2].
Version 4.0	31 December 2014	<ul style="list-style-type: none"> Changed throughout - "Operating Company Retention Schedule" to "J&J Enterprise Retention Schedule." Changed throughout - "retention period" to "retention requirement." Paragraphs [5.1.10.3] and [5.1.10.4] – Added paragraphs to apply ERS requirements to inactive records, and note "grandfather policy."
Version 3.0	31 December 2013	<ul style="list-style-type: none"> Changed throughout - "Business Owner" to "Department/Business unit". Changed throughout - "Document Holds" to "Legal Hold Notice". Background [2] Clarified wording to ensure understanding of inactive records; eliminated redundancy. Paragraph [5.1.1.1] Added - Identify if record is considered vital or historical. Added - wording "containers or storage units." Paragraph [5.1.1.1] Added - Option to use barcoding or RFID technology. New paragraph added [5.1.2] "Procedures for ensuring the accuracy and completeness of the data entry for the elements"

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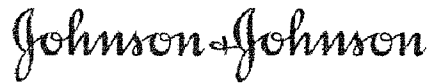
WWRIM Standard RIMS-5
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Worldwide Records and Information Management

Physical Inactive Records and Information Storage Standard

		<ul style="list-style-type: none">• Paragraph [5.1.9] Revised to include the addition of timely retrieval and return of records from storage.• New section added [5.1.11 - 5.1.11.5] Included requirements when extending a retention period, once it meets the destruction date.• Paragraph [former 5.1.9.1] moved to [now 5.1.11.5] Added Department/Business owner responsibilities.• New paragraphs added [5.3.8 and 5.3.9]. Included facility requirements on fire suppression and natural disasters.
Version 2.0	31 January 2011	<ul style="list-style-type: none">• Paragraph [5.1.1.1] – Clarified the requirement applies to records being either returned to storage or being newly sent to storage• Paragraph [5.1.1.1.] – Removed "Record Description" as a mandatory field• Paragraph [5.1.9.3] – Adjusted requirement to include maintenance of documentation for destruction authorization of inactive records.• Paragraph [5.1.9.5] – Clarified the requirement applies to destruction conducted by or at the inactive storage facility• Paragraph [5.3.6] – Changed requirement to refer to industry good practices for climate controls for inactive storage.• Minor grammar and typographical edits
New Standard Version 1.0	30 September 2009	<ul style="list-style-type: none">• New Document Issued

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WWRIM Standard RIMS-6
Version 5.0
31 December 2016
Effective – 01 April 2017

Worldwide Records and Information Management

Litigation Support Standard

1. Purpose

The purpose of this standard is to define requirements to ensure that Operating Companies make a reasonable, good-faith and coordinated effort to preserve Records and Information subject to Legal Holds, and facilitate the identification and collection of such materials as needed.

2. Scope

This standard applies to all Johnson & Johnson Operating Companies.

3. Background

Legal Holds require temporary suspension of the *J&J Enterprise Retention Schedule* (ERS) retention requirements and disposal of Records and Information that may be relevant to actual or reasonably anticipated litigation or investigations. Such materials may include user-generated or "custodial" information such as email, planning documents, and presentations, as well as "non-custodial" information such as databases and websites. The Johnson & Johnson Law Department (hereafter referred to as the Law Department) is the authoritative source for issuing and releasing Legal Holds.

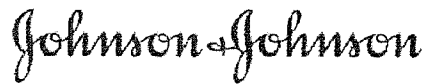
4. Definitions

Reference terms used in this standard are found in the *Worldwide Records and Information Management Program Glossary*.

5. Minimum Implementation Requirements

- 5.1. The Law Department shall develop and implement procedures and internal controls for the following:
 - 5.1.1. Receipt of Legal documents (e.g., Summons and Complaints, Court Orders, Subpoenas, etc.);
 - 5.1.1.1. Legal documents received by the Operating Company shall be transmitted to the Law Department.
 - 5.1.2. Communication and distribution of Legal Holds and Releases;
 - 5.1.3. Preservation and collection of Records and Information subject to Legal Holds.
- 5.2. The Law Department shall provide training for Associates and other applicable stakeholders on Legal Hold Management tools.
- 5.3. The Law Department shall collaborate with Records and Information Management and Information Technology to raise awareness of Legal Hold preservation requirements, as applicable.
- 5.4. Communication/Distribution of Legal Holds and Releases

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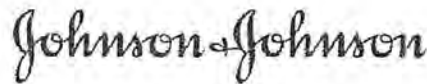
WWRIM Standard RIMS-6
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Effective – 01 April 2017

Worldwide Records and Information Management

Litigation Support Standard

- 5.4.1. The Law Department shall be solely responsible for determining the need for and content of Legal Hold Notice(s).
- 5.4.2. The Law Department shall have ultimate responsibility for identifying Associates and other stakeholders who receive Legal Hold Notice(s).
- 5.5. Preservation of Records and Information
 - 5.5.1. Records and Information subject to Legal Hold shall be preserved and may not be disposed until the Law Department issues a written release of all applicable Legal Hold Notice(s).
 - 5.5.1.1. The duty to preserve Records and Information subject to Legal Hold applies to all formats and media, including physical and electronic Records and Information.
 - 5.5.2. When required by a pending Legal Hold, disposal of Records and Information according to the ERS, shall be suspended.
 - 5.5.2.1. If there is uncertainty as to whether Records and Information are subject to a Legal Hold, the Records and Information shall be preserved until guidance and clarification can be obtained from the Law Department.
 - 5.5.3. Preservation of Records and Information, including any Convenience Information subject to Legal Hold, shall be undertaken reasonably and in good faith. Scheduled or in-progress disposition of any such Records and Information must be suspended or stopped regardless of the ERS requirements.
 - 5.5.4. Physical Records and Information subject to Legal Hold, but which are no longer required for day-to-day business operations, may be sent to inactive storage in accordance with company procedures based on this standard and other applicable WWRIM standards, unless otherwise notified by the Law Department.
 - 5.5.5. After written release(s) for all applicable Legal Hold Notices have been issued, Records and Information shall resume normal retention requirements, as per the ERS.
- 5.6. Discovery/Production of Records and Information
 - 5.6.1. The RIM program shall identify, collect, and deliver applicable Records and Information under their control to the parties designated by the Law Department.
 - 5.6.2. Unless previously agreed between the Law Department and the Records Manager, the Records Manager shall not be responsible for managing and tracking the production or delivery of Records and Information to external parties for specific Law Department purposes.

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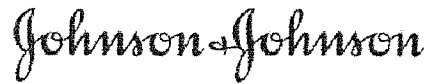
Worldwide Records and Information Management

Litigation Support Standard

Revision History

Version 5.0	31 December 2016	<ul style="list-style-type: none"> • Changed "Legal Hold Notice" to "Legal Hold" throughout if the reference is not to the actual notice. • Purpose [1] Changed "potentially relevant to Legal Hold Notices that are issued" to "subject to Legal Holds." • Background [former 2] Clarified wording. Added that the Johnson & Johnson Law Department is hereafter referred to as the Law Department in the standard. • Minimum Implementation Requirements [5] Regrouped requirements in four areas: (1) Procedures/Internal Controls/Training/Awareness, (2) Communication/Distribution of Legal Holds and Releases, (3) Preservation of Records and Information and (4) Discovery/Production of Records and Information. • Paragraph [5.1] Removed the Operating Company Records Manager as this is the Law Department's responsibility. Changed "documented procedures" to "procedures." Removed the specific requirements (actions, roles and responsibilities) for the procedures. • Paragraph [5.1.1] Clarified wording. Separated requirement into paragraphs [5.1.1 and 5.1.1.1]. • Added paragraph [5.1.3] The Law Department shall develop and implement procedures and internal controls for the preservation and collection of Records and Information subject to Legal Holds. • Paragraph [former 5.1.2.1] Moved to paragraphs [5.4.1 & 5.4.2]. • Removed paragraph [former 5.1.2.2] Requirements are addressed in paragraph [5.5.1]. • Removed paragraph [former 5.1.2.3] Requirements are addressed in paragraphs [5.5.1 & 5.5.5]. • Paragraph [former 5.1.3] Removed reference to "normal RIM practices." • Paragraph [former 5.1.3.1] Clarified wording. • Paragraph [former 5.1.4] Moved to paragraph [5.6]. • Paragraph [former 5.1.4.1] Moved to paragraph [5.6.2]. Changed "Operating Company Records Manager" to "Records Manager." • Paragraph [former 5.2]. Moved to paragraph [5.5.1.1].
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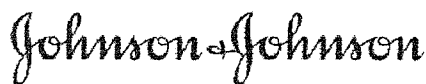
WWRIM Standard RIMS-6
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Worldwide Records and Information Management

Litigation Support Standard

		<ul style="list-style-type: none"> • Added paragraph [5.2] The Law Department shall provide training for Associates and other applicable stakeholders on Legal Hold Management tools. • Paragraph [former 5.3] Moved to paragraph [5.5.3]. • Added paragraph [5.3] The Law Department shall collaborate with Records and Information Management and Information Technology to raise awareness of Legal Hold preservation requirements, as applicable. • Paragraph [former 5.4] Moved to paragraph [5.5.4]. Changed "Hard-copy" to "Physical." Removed specific requirements for sending Records and Information to inactive storage as that is addressed in RIMS-5, Physical Inactive Records and Information Storage Standard. • Removed paragraph [former 5.5]. Addressed in paragraph [5.5.1]. • Removed paragraph [former 5.6] Addressed in paragraph [5.5.1]. • Added paragraph [5.6.1] The RIM program shall identify, collect and deliver applicable Records and Information under their control to the parties designated by the Law Department.
Version 4.0	31 December 2014	<ul style="list-style-type: none"> • Changed throughout "Operating Company Retention Schedule" to "J&J Enterprise Retention Schedule." • Changed throughout "RRS" to "ERS." • Changed throughout "retention period" to "retention requirement." • Purpose – Clarified language. • Background – Added language on "non-custodial" and "custodial" information. • Scope – Expanded to include Legal Hold Notice custodians. • Paragraph [5.1.2.1] – Clarified language. • Paragraph [5.1.2.2] – Added language to stress obligation to preserve information. • Paragraph [5.1.2.3] – Added language to stress importance of the written release from Legal Hold. • Paragraph [5.1.3.1] – Removed language relating to the "destruction" of records. • Paragraph [5.3] – Clarified language. • Paragraph [5.4] – Added language to stress importance of indexing hard-copy records. • Paragraph [5.5] – Changed verbiage surrounding new Legal Hold Notice process.

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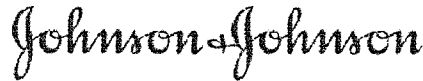
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Litigation Support Standard

Version 3.0	31 December 2013	<ul style="list-style-type: none"> • Paragraph [5.6] – Clarified language. • Changed throughout "Document Hold" to "Legal Hold". • Changed throughout from Clean-out to disposition. • Paragraph [5.1] Included - Law Department as a resource. • Paragraph [5.1.1.] Added - transmission to Law Department requirement. • Paragraph [former 5.1.1.1] now [5.1.2.2] Removed - boundary agreements. • Paragraph [5.1.2.3] Added – direction on handling release notices. • Paragraph [former 5.1.3.1] Remove-, condensed in a concise manner with former [5.1.3.2] to for new [5.1.3.1]. • Paragraph [5.2] Changed - "mediums" to "media" and removed wording "fixed or portable device."
Version 2.0	31 January 2011	<ul style="list-style-type: none"> • Paragraph 5.1.2.1 – REMOVED the "Note" section • Paragraph 5.1.4.1 – Change requirement whereas Records Managers will not be responsible for tracking documents released to external legal parties unless this is previously agreed to by the Records Manager and the Law Department.
New Standard Version 1.0	30 September 2009	New Document Issued

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WWRIM Standard RIMS-7
Version 5.0
31 December 2016
Effective – 01 April 2017

Worldwide Records and Information Management

Management of Records and Information for Facility Closures or Divestitures Standard

1. Purpose

This standard provides the minimum requirements for managing Records and Information subject to a facility closure or a business, plant, or product divestiture.

2. Scope

This standard applies to all Johnson & Johnson Operating Companies.

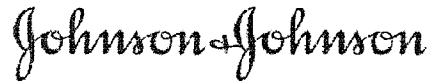
3. Definitions

Reference terms used in this standard are found in the *Worldwide Records and Information Management Program Glossary*.

4. Approach

The Operating Company planning to divest itself of a business, plant, or product, or planning to close a facility, shall include Records and Information Management requirements in their plans as defined by the situations below:

- Closure of a facility when the business remains intact elsewhere: When one or more sites of an Operating Company close, the Operating Company shall retain ownership of the Records and Information for that site. Records and Information shall be governed under the direction of the Records Manager.
- Divestiture of specific products and/or functions where the balance of the Operating Company remains intact within the Johnson & Johnson Family of Companies: When the Operating Company divests itself of individual products and/or functions, Records and Information relevant to the product or function, as outlined in contracted agreement among the parties, and as required by law, shall transfer with that product or function. Only records specified in the contract shall be transferred to the new owner; all other records and information shall remain the property of the Operating Company.
- Complete divestiture of an Operating Company and all its associated products and/or functions: When the Operating Company's business is completely divested, the Records and Information defined in the contract and as required by law shall be transferred to the new owner. The remaining Records and Information shall be managed at the direction of the Law Department, in consultation with the Records Manager of the closing Operating Company and the World Headquarters Records Manager. The remaining records shall be transferred to the World Headquarters Records Manager, unless otherwise directed by the Law Department.



WWRIM Standard RIMS-7
Version 5.0
31 December 2016
Effective – 01 April 2017

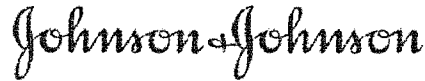
Worldwide Records and Information Management

Management of Records and Information for Facility Closures or Divestitures Standard

- Discontinuation of an Operating Company's business without divestiture: When the Operating Company's business ceases, disposition of all records shall be at the direction of the Law Department, in consultation with the Records Manager of the closing Operating Company and the World Headquarters Records Manager. The remaining records shall be transferred to the World Headquarters Records Manager, unless otherwise directed by the Law Department.

5. Minimum Implementation Requirements

- 5.1. Records and Information subject to a divestiture shall be described in the contract. In cases where ownership, division, or transfer of records is unclear, the Operating Company shall seek guidance from the Law Department.
- 5.2. Responsibility for overseeing the proper identification, management and transfer of Records and Information to a new owner shall be assigned to a team of subject matter experts, including Information Technology, Business Units, Legal, Human Resources, Finance, Tax, Privacy and Records Management.
- 5.3. Records and Information, both in paper and electronic formats, relevant to a divestiture or closure shall be identified and indexed with a copy retained by the Operating Company.
- 5.4. Records and Information, whose retention requirement has expired on or before the official divestiture date or the facility closing date shall be disposed of according to the *J&J Enterprise Retention Schedule* unless otherwise advised by the Law Department.
- 5.5. Records and Information identified for transfer to a new owner shall be checked against active Legal Holds to determine whether the Records and Information are subject to a Legal Hold.



WWRIM Standard RIMS-7
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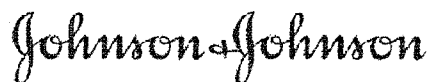
Worldwide Records and Information Management

Management of Records and Information for Facility Closures or Divestitures Standard

Revision History

Version 5.0	31 December 2016	<ul style="list-style-type: none"> Changed "Johnson & Johnson Law Department" to "Law Department" throughout. Approach [4] [first bullet] Removed reference to the WWRIM Policy and Standards as all J&J Records and Information must comply with these. [third bullet] Removed "Custodianship." [fourth bullet] Removed "Custody." Paragraph [5] Reordered requirements and clarified wording. Paragraph [former 5.1] Added requirement for identifying Records and Information subject to a divestiture or closure and retaining a copy of the index with the Operating Company. Removed paragraph [former 5.3] Does not need to be stated that Records Information identified in the agreement that are to be transferred shall be separated from those retained by the OpCo. Paragraph [former 5.4] Changed "...a party outside the Operating Company" to "...a new owner." Changed "Legal Hold Notices" to "Legal Holds." Removed paragraph [former 5.4.1] Seeking guidance from the Law Department is addressed in paragraph [5.1]. Removed paragraph [former 5.5] Team of subject matter experts is addressed in paragraph [5.1] Finance, Tax and Privacy were added to the team of subject matter experts. Removed paragraph [former 5.6] Involvement of the Tax department is addressed in paragraph [5.1]. Removed paragraph [former 5.7] The index of Records and Information relevant to a divestiture or closure is addressed in paragraph [5.3]. Removed paragraph [former 5.8] unclear or absent contract language is addressed in paragraph [5.1]. Removed paragraph [former 5.9] Reference to proper chain of custody was confusing.
Version 4.0	31 December 2014	<ul style="list-style-type: none"> Changed throughout - "Operating Company Retention Schedule" to "J&J Enterprise Retention Schedule." Changed throughout - "retention period" to "retention requirement." Reformatted Approach Paragraph for clarity.
Version 3.0	31 December 2013	<ul style="list-style-type: none"> Changed throughout "Document Hold" to "Legal

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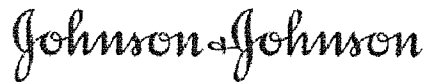
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Worldwide Records and Information Management

**Management of Records and Information for Facility Closures or
Divestitures Standard**

		<p>Hold.”</p> <ul style="list-style-type: none">• Changed throughout “New Company” to “New Owner.”• Paragraph [5.2] Removed reference to WWRIM Clean-up Event Standard and Convenience Information.• Paragraph [5.5] Added responsibility to - IT, Legal, HR, and Business Units.• New paragraph [5.8] to specify procedure for “Unclear or Absent Contract Language.”
Version 2.0	31 January 2011	<ul style="list-style-type: none">• Paragraph [5.2] – changed “Cleanout” to “Clean-up.”
New Standard Version 1.0	30 September 2009	<ul style="list-style-type: none">• New Document Issued

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WWRIM Standard RIMS-8
Version 5.0
31 December 2016
Effective – 01 April 2017

Worldwide Records and Information Management

Management of Records and Information for Mergers and Acquisitions Standard

1. Purpose

The purpose of this standard is to specify the Records and Information Management (RIM) planning requirements for integrating an acquired company's records and information into the acquiring Operating Company.

2. Background

When Johnson & Johnson (or one of its Operating Companies) seeks to acquire another company, the company being acquired will ultimately become part of Johnson & Johnson, and thus be required to comply with the Johnson & Johnson *Worldwide Records and Information Management Policy and Standards*.

3. Scope

This standard applies to all Johnson & Johnson Operating Companies.

4. Definitions

Reference terms used in this standard are found in the *Worldwide Records and Information Management Program Glossary*.

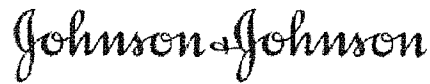
5. Approach

Due to the nature of acquisition planning and integration, and to the unique situations surrounding each acquisition project, the engagement of the Records Manager by the Mergers and Acquisitions team may occur at different intervals during the project. Engagement may not begin until the final integration is well underway. The Mergers and Acquisitions team may limit the Records Manager's level of engagement or scope of responsibility due to a variety of reasons. Hence, the tasks and responsibilities required of a Records Manager will also vary. Below are listed the minimal implementation standards.

6. Minimum Implementation Requirements

- 6.1. As part of the merger or acquisition process, the Mergers & Acquisitions team shall engage the Records Manager as part of the integration process and/or integration team.
- 6.2. As part of the merger or acquisition process, the Mergers & Acquisitions team and/or the Records Manager shall notify Worldwide Records and Information Management of the integration.
- 6.3. Within the terms and scope of this engagement (Section 5), the Records Manager shall do the following:

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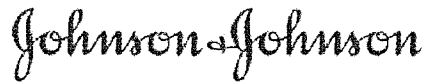


WWRIM Standard RIMS-8
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31 December 2016
Effective – 01 April 2017

Worldwide Records and Information Management
Management of Records and Information for Mergers and Acquisitions
Standard

- 6.3.1. Facilitate or conduct an evaluation of RIM practices of the acquired company, including a gap analysis comparing that company's policies, standards and procedures with Johnson & Johnson's *Worldwide Records and Information Policy and Standards*;
- 6.3.2. Develop and implement a plan of action to bring the acquired company into compliance with the Johnson & Johnson *Worldwide Records and Information Policy and Standards*; after the merger or acquisition finalizes.

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Version 5.0
31 December 2016
Effective – 01 April 2017

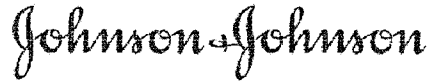
Worldwide Records and Information Management

**Management of Records and Information for Mergers and Acquisitions
Standard**

Revision History

Version 5.0	31 December 2016	<ul style="list-style-type: none">• Changed "Operating Company Records Manager" to "Records Manager" throughout.• Paragraph [6.1 & 6.2] Changed "...acquisition process" to "...merger or acquisition process."• Paragraph [6.3.2] Changed "develop" to "develop and implement" a plan of action to bring the acquired company into compliance with the WWRIM Policy & Standards. Changed "...acquisition finalizes" to "...merger or acquisition finalizes." Removed specific provisions of that plan of action.
Version 4.0	31 December 2014	<ul style="list-style-type: none">• Changed throughout - "Operating Company Retention Schedule" to "J&J Enterprise Retention Schedule."• Changed throughout - "retention period" to "retention requirement."
Version 3.0	31 December 2013	<ul style="list-style-type: none">• Changed throughout "Document Hold" to "Legal Hold."• New Paragraph [6.2] Added – notification to WWRIM.• Paragraph [former 6.2 - 6.2.2] now [6.3 – 6.32].
Version 2.0	31 January 2011	<ul style="list-style-type: none">• Paragraph [1]: Removed reference to training as this is covered in RIMS-11.• Minor edit.
New Standard Version 1.0	30 September 2009	<ul style="list-style-type: none">• New Document Issued

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WWRIM Standard RIMS-9
Version 5.0
31 December 2016
Effective – 01 April 2017

Worldwide Records and Information Management

Management of Records and Information of Departing Associates Standard

1. Purpose

This standard establishes the minimum requirements for managing the Records and Information of departing associates to assure such Records and Information are reviewed and dispositioned in compliance with the *J&J Enterprise Retention Schedule (ERS)* and Legal Holds.

2. Scope

This Standard applies to all Johnson & Johnson Operating Companies.

3. Background

Physical and electronic Records and Information created or received by an associate in the course of doing business are the property of that Operating Company. All Records and Information shall remain with the Operating Company upon departure of the associate.

Upon termination of an associate, steps must be taken to ensure the associate's Records and Information are appropriately managed, including transfer to other personnel, integration into records systems, or as appropriate, disposal.

4. Definitions

Reference terms used in this standard are found in the *Worldwide Records and Information Management Program Glossary*.

5. Minimum Implementation Requirements

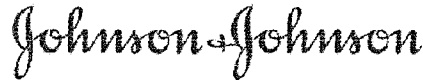
5.1. The departing associate shall determine the appropriate disposition of their Records and Information in compliance with the *J&J Enterprise Retention Schedule* and Legal Holds.

5.1.1. Provided they are not subject to a Legal Hold, Records and Information, including Convenience Information, eligible for disposal shall be destroyed/deleted in accordance with the RIM program.

5.1.2. The departing associate shall assist in the transfer of Records and Information to other personnel or the integration into existing record systems, as applicable.

5.2. In the event the departing associate is unable to complete their responsibilities, the manager/supervisor/sponsor shall execute the duties or reassign them to another person.

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WWRIM Standard RIMS-9
Version 5.0
31 December 2016
Effective – 01 April 2017

Worldwide Records and Information Management

Management of Records and Information of Departing Associates Standard

Revision History

Version 5.0	31 December 2016	<ul style="list-style-type: none"> • Purpose [1] Clarified wording. Changed departing "employees and/or contractors" to departing "associates." The definition of "associates" was added to the WWRIM Glossary. • Approach [former 4] Changed "Approach" section to "Background" for consistency with other standards. • Background [former Approach 4] Changed "hard copy" to "physical." Changed "records" to "Records and Information." Removed reference to records created or received by vendors. Changed "Upon transfer or termination of an associate..." to "Upon termination of an associate..." • Removed paragraph [former 5.1] Removed the RIM Department's responsibility for supporting the associate's department with processing and managing orphaned files. • Paragraph [former 5.2] Clarified wording. Combined into paragraphs [5.1 and 5.1.1]. • Paragraph [former 5.2.1] Moved the departing associate's responsibility for assisting with the transfer of Records and Information to other personnel or the integration into existing record systems to paragraph [5.1.2]. Moved disposition requirements to paragraph [5.1.1]. • Paragraph [former 5.2.2] Clarified wording. In the event the departing associate is unable to complete their responsibilities, the manager/supervisor/sponsor shall execute the duties or reassign them to another person. • Removed paragraph [former 5.2.3] Disposal is addressed in paragraph [5.1.1].
Version 4.0	31 December 2014	<ul style="list-style-type: none"> • Changed throughout – "Records Retention Schedule" to "Enterprise Retention Schedule". • Changed throughout – "RRS" to "ERS". • Changed throughout – "retention period" to "retention requirement". • Paragraph [5.2.2] Changed verbiage – clarified supervisor roles. • Paragraph [5.2.3] Changed verbiage – "defensible destruction" to "disposal". • Changed throughout – "Manager or Sponsor" to "supervisor."

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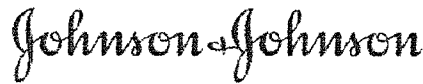
WWRIM Standard RIMS-9
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Effective – 01 April 2017

Worldwide Records and Information Management

Management of Records and Information of Departing Associates Standard

Version 3.0	31 December 2013	<ul style="list-style-type: none"> • Changed throughout- "Document Hold" to "Legal Hold Notice." • Where applicable replaced "employee" to "associate." • Approach section [4] Clarified wording, reworded former "Note" section, and eliminated wordiness and length. • Paragraph [5.2.1] Clarified - departing associates responsibilities. • Paragraph [5.2.2] Clarified - supervisor, sponsor, designee responsibilities. • Paragraph [5.2.3 & 5.2.3.1] Combined • Paragraph [5.2.3.2 - 5.4] Removed - captured in previous sections.
Version 2.0	31 January 2011	<ul style="list-style-type: none"> • Paragraph [5.2.1] – Clarified requirement to enable departing employee to perform their records review in a compliant manner. • Paragraphs [5.2.2] – REMOVED reference to "within 90 days of employee's departure." • Paragraph [5.2.3.1] – Added new requirement to allow for destruction of records at time of review, if Operating Company procedures support this – renumbered remaining requirements under [5.2.3]; also changed "Cleanout" to "Clean-up" • Paragraph [5.3.1] – REMOVED reference to "within 90 days of the contractor or vendor's departure." • Paragraph [5.5] – REMOVED –information security requirement and included in those policies.
New Standard Version 1.0	30 September 2009	New Document Issued

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WWRIM Standard RIMS-10
Version 5.0
31 December 2016
Effective – 01 April 2017

Worldwide Records and Information Management

Records and Information Management Compliance Assessment Standard

1. Purpose

This standard defines the requirements for planning and facilitating Department/Business Unit Records and Information Management (RIM) compliance assessments.

2. Scope

This standard applies to all Johnson & Johnson Operating Companies.

3. Background

RIM compliance assessments provide assurance that Operating Company Records and Information processes are compliant with RIM program requirements.

RIM compliance assessments discussed in this standard are not to be confused with, nor used in place of, the Records and Information Management audits conducted by Johnson & Johnson Corporate Internal Audit (CIA). CIA conducts audits of the Operating Company RIM program for compliance with *Worldwide Records and Information Management Policy and Standards*; the criteria and selection process for CIA audits will be determined by CIA.

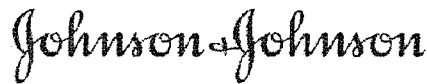
4. Definitions

Reference terms used in this standard are found in the *Worldwide Records and Information Management Program Glossary*.

5. Minimum Implementation Requirements

- 5.1. The RIM program shall facilitate compliance assessments of selected Departments/Business Units within their Operating Company.
- 5.2. A risk-based approach shall be used to determine the RIM compliance assessment schedule priorities.
 - 5.2.1. The Records Manager shall determine which Departments/Business Units within the company shall be considered "high risk" from a RIM perspective.
 - 5.2.2. Considerations for classifying Departments/Business Units as "high risk" may include:
 - Non-compliant findings from previous RIM compliance assessments;
 - Previously impacted by significant legal obligations;
 - Exposed to external (e.g. Regulatory) audits.
 - 5.2.3. "High risk" Departments/Business Units shall be assessed at a minimum every three years.

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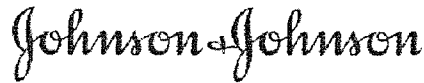


WWRIM Standard RIMS-10
Version 5.0
31 December 2016
Effective – 01 April 2017

Worldwide Records and Information Management

Records and Information Management Compliance Assessment Standard

- 5.2.4. "Non-high risk" Departments/Business Units shall be assessed at a minimum every five years.
- 5.3. The scope of the RIM compliance assessment shall include, but is not limited to, the following areas:
- *J&J Enterprise Retention Schedule*;
 - Training and Education;
 - Legal Holds;
 - Inactive Records and Information Management;
 - Vital Records Protection;
 - Records of Departing Associates.
- 5.4. A RIM compliance assessment report shall be presented to senior management of the Department/Business Unit being assessed and shall include significant findings. Significant findings may include non-compliance with any of the RIM program areas listed in section 5.3.
- 5.5. The Department/Business Unit being assessed shall develop a corrective action plan, with timelines, to address significant findings.
- 5.5.1. Corrective action plans shall be signed by senior management of the Department/Business Unit and submitted to the RIM program for acceptance and monitoring through completion. The Department/Business Unit shall provide periodic updates on the progress of the action plan.
- 5.5.2. The RIM program shall be responsible for monitoring the status of the corrective action plan to assure its implementation, and for escalating repeated missed deadlines and/or lack of progress to senior management of the Department/Business Unit.



WWRIM Standard RIMS-10
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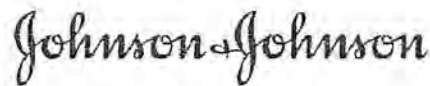
Worldwide Records and Information Management

Records and Information Management Compliance Assessment Standard

Revision History

Version 5.0	31 December 2016	<ul style="list-style-type: none"> Removed "Operating Company" throughout. Changed "departments" to "Departments/Business Units" throughout. Purpose [1] Clarified wording. Background [former 2] Clarified wording. Paragraph [5.1 and former 5.1.1] Combined into [5.1] Removed reference to "trained and qualified individuals." Paragraph [5.2.2] Added "Considerations for classifying..." [third bullet] Changed "regulatory" to "external" and included Regulatory as an example. Paragraph [5.2.3] Changed minimum assessment frequency for high risk Departments/Business Units from two years to three years. Removed "An assessment resulting in a significant finding may warrant a full assessment in the following year." Paragraph [5.2.4] Changed "Low-risk" to "Non-high risk." Added five-year minimum assessment frequency for non-high risk Departments/Business Units. Removed paragraph [former 5.3] Documenting an assessment schedule for non "high risk" departments. Paragraph [former 5.4] Added "but is not limited to." [first bullet] Removed reference to disposition of records past their retention. [third bullet] Changed "Legal Hold Notices" to "Legal Holds" Paragraph [former 5.5] Changed "upper" management to "senior" management. Added detail on what significant findings may include. Paragraph [former 5.6.1] Removed reference to timelines as they are part of the action plan. Paragraph [former 5.6.2] Changed "Operating Company senior management" to "senior management of the Department/Business Unit."
Version 4.0	31 December 2014	<ul style="list-style-type: none"> Changed throughout "Records Retention Schedule" to "Enterprise Retention Schedule." Changed "retention times" to "retention requirements." Added Paragraph [5.2.4] to add "Low Risk" Departments.
Version 3.0	31 December 2013	<ul style="list-style-type: none"> Background [2] First paragraph - Clarified wording. Minor change, Removed second paragraph.

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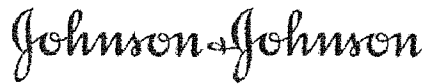
WWRIM Standard RIMS-10
Version 5.0
31 December 2016
Effective – 01 April 2017

Worldwide Records and Information Management

**Records and Information Management Compliance Assessment
Standard**

		<ul style="list-style-type: none"> • Paragraph [5.1] Added "for high risk areas." • Paragraph [5.2.3] Added - The significance of the finding of the review may warrant a full assessment in the following year for "high risk" departments. • Paragraph [former 5.2.4] Removed, condensed within new [5.2.3] for conciseness. • New Paragraph [5.4] The Operating Company RIM department shall have a documented schedule for "non-high risk" departments. • Paragraph [former 5.2.2.2] Removed, see below • Paragraph [former 5.2.2.3 – 5.2.2.4] now [5.2.2.2 – 5.2.2.3] • Paragraph [former 5.2.2.5] Removed- redundant. • Paragraph [5.4] Removed – Records Cleanout, now [5.5]. • Paragraph [former 5.6.1] now [5.7.1] Added – Department designee shall provide periodic updates on the progress of the action plan. • Paragraph [former 5.6.2] Removed, condensed within new [5.7.1]. • Paragraph [former 5.6.3] now [5.7.2].
Version 2.0	31 January 2011	<ul style="list-style-type: none"> • Paragraph [5.4] – Added "Records of Departing Associates" to list of items to be audited. • Paragraph 5.4 – REMOVE requirement around conducting a random audit of vendors working with the department who store, manage or create records on the vendor's behalf. • Paragraph [5.5] and [5.6.2] – clarified department "upper" management responsibilities.
New Standard Version 1.0	30 September 2009	<ul style="list-style-type: none"> • New Document Issued

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WWRIM Standard RIMS-11
Version 6.0
30 March 2018
Effective – 01 May 2018

Worldwide Records and Information Management Training and Education Standard

1. Purpose

This standard establishes the minimum requirements for Johnson & Johnson Operating Companies in providing Records and Information Management (RIM) training and education to assure that the requirements and the expectations of the RIM program are communicated and understood.

2. Scope

This standard applies to all Johnson & Johnson Operating Companies.

3. Definitions

Reference terms used in this standard are found in the *Worldwide Records and Information Management Program Glossary*.

4. Minimum Implementation Requirements

4.1. The following training requirements shall be met by all Operating Companies for (1) employees; (2) vendors, external business partners, consultants/contractors; and (3) individuals in special roles.

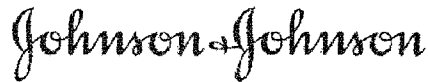
4.1.1. Employees and contractors/consultants with access to the J&J network shall complete the RIM Associate Training once per year through the J&J SUMMIT Learning Management System (LMS) addressing the following areas:

- Overview of the *Worldwide Records and Information Management Policy*;
- Benefits of properly managed Records and Information;
- Consequences and risks of non-compliance;
- Basic elements of a RIM program;
- RIM lifecycle methodology;
- The concept of Records and Information and Convenience Information;
- Understanding and complying with the J&J Enterprise Retention Schedule;
- Understanding and complying with a Legal Hold;
- Understanding roles and responsibilities within the RIM program;
- General contact information for further RIM assistance/guidance.

4.1.1.1. Newly hired employees and contractors/consultants with access to the J&J network shall complete the RIM Associate Training through the J&J SUMMIT LMS within 30 days of reporting to work and once per year thereafter.

4.1.1.2. Any exceptions to section 4.1.1 and 4.1.1.1 must be reviewed and approved by Worldwide Records and Information Management (WWRIM).

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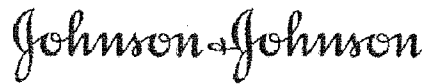


WWRIM Standard RIMS-11
Version 6.0
30 March 2018
Effective – 01 May 2018

Worldwide Records and Information Management

Training and Education Standard

- 4.1.2. As documented in the *RIM Guidance for Supplier Contracts*, vendors, external business partners, and contractors/consultants without access to the J&J network who create, maintain, manage or manipulate J&J Records and Information shall receive the *RIM Supplier Requirements*.
- 4.1.3. The following requirements address individuals in special roles:
 - 4.1.3.1. Records Coordinators shall receive specialized annual training that includes their responsibilities as defined in **WWRIM RIMS-1, Records and Information Management Program Standard**. As Department/Business Unit RIM subject matter experts, Records Coordinators shall also be trained on the following RIM Program requirements:
 - a) Compliance with the *J&J Enterprise Retention Schedule*;
 - b) Legal Hold compliance;
 - c) Departing associate process;
 - d) Vital records protection.
- 4.2. The Operating Company shall track and document completion/attendance of all training, education sessions, and courses.
- 4.3. Training courses and education materials shall be reviewed and/or updated at a minimum of every two years to assure relevancy.



WWRIM Standard RIMS-11
Version 6.0
30 March 2018
Effective – 01 May 2018

Worldwide Records and Information Management

Training and Education Standard

Revision History

Version 6.0	30 March 2018	<ul style="list-style-type: none"> Paragraph [4.1.1] Changed requirement to employees and contractors/consultants <u>with</u> access to the J&J network shall complete the RIM Associate Training once per year through the J&J SUMMIT LMS. Paragraph [former 4.1.1.1, 4.1.1.2 and 4.1.1.3] Removed requirements. Paragraph [former 4.1.1.4] Changed newly hired/transferred employees to newly hired employees and contractors/consultants. Changed requirement for new hire training from within 60 days to within 30 days of reporting to work. Added paragraph [4.1.1.2] Exceptions to 4.1.1 and 4.1.1.1 must be reviewed and approved by WWRIM. Paragraph [4.1.2] Changed WWRIM Policy to RIM Supplier Requirements. Paragraph [4.2] Changed RIM Department to Operating Company.
Version 5.0	31 December 2016	<ul style="list-style-type: none"> Paragraph [4.1] Clarified wording. Removed requirement for a documented procedure. Changed "individuals in special roles/circumstances" to "individuals in special roles." Removed paragraph [former 4.2] Operating Company training requirements are addressed in paragraph [4.1]. Paragraph [former 4.2.1] Changed "Operating Company Employees" to "Employees and contractors/consultants <u>with</u> access to the J&J network." Reordered bullet points. [former sub-bullet e)] Clarified that the training should include all roles and responsibilities within the RIM program, not just the employee's responsibilities. Added paragraph [4.1.1.1] The WWRIM training module meets the minimum requirements of section 4.1.1 and shall be utilized when possible. Paragraph [former 4.2.2] Clarified wording. Changed "J&J eUniversity" to "online training" and "WebEx training" to "web conferencing." Paragraph [former 4.2.3] Changed "Operating Company Records Manager" to "Records Manager." Paragraph [former 4.2.4] Updated training requirements for vendors, external business partners and contractors/consultants to the following: Vendors, external business partners,

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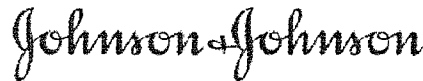


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30 March 2018
Effective – 01 May 2018

Worldwide Records and Information Management

Training and Education Standard

		<p>and contractors/consultants <u>without</u> access to the J&J network who create and/or manage business Records and Information shall receive the WWRIM Policy to understand their role and responsibilities in complying with RIM requirements.</p> <ul style="list-style-type: none"> • Paragraph [former 4.2.5] Changed "individuals in special roles/circumstances" to "individuals in special roles." • Moved paragraph [former 4.2.5.1] to paragraph [4.1.1.4]. • Paragraph [former 4.2.5.2] Clarified/updated training requirements for Records Coordinators. • Removed paragraph [former 4.2.5.3]. • Paragraph [former 4.4] Changed review period for training and education materials and training courses from three years to two years.
Version 4.0	31 December 2014	<ul style="list-style-type: none"> • Changed throughout – "Records Retention Schedule" to "Enterprise Retention Schedule." • Changed throughout – "program audits" to "department assessments."
Version 3.0	31 December 2013	<ul style="list-style-type: none"> • Paragraph [4.1] Removed - "ongoing RIM strategy." • Former note: section under section [4.2]. Moved to its own section, now [4.2.2]. • Former Exception paragraph in [4.2.1]. Moved to its own section, now [4.2.3]. • Paragraph [former 4.2.2] now [4.2.4] Added - "Understanding and complying with a legal Hold." • Paragraph [4.2.1] Removed - "Cleanup events." • Paragraph [4.2.4] Removed - "60 days" requirement. • Note: section under [4.2.4.] Clarification for contractors. • Paragraph [former 4.2.3. – 4.2.3.2] now [4.2.5 – 4.2.5.2].
Version 2.0	31 January 2011	<ul style="list-style-type: none"> • Paragraph [4.2.1] – Added Exception to allow Records Managers discretion in provided abbreviated training to J&J employees who do not handle records during the normal course of their job. • Minor typographical changes
New Standard Version 1.0	30 September 2009	<ul style="list-style-type: none"> • New Document Issued



WWRIM Standard RIMS-12
Version 5.0
31 December 2016
Effective – 01 April 2017

Worldwide Records and Information Management

Enterprise Retention Schedule Standard

1. Purpose

This standard provides the requirements for adherence to the Johnson & Johnson Enterprise Retention Schedule (ERS) by the Johnson & Johnson Operating Companies.

2. Scope

This Standard applies to all Johnson & Johnson Operating Companies.

3. Background

To ensure compliance with business and operating needs, Records and Information must be maintained in a systematic manner throughout their lifecycle. The ERS defines retention requirements for business, legal, regulatory and privacy purposes. The ERS is the single authoritative source for retention requirements for all Operating Companies. The ERS is accepted by business stakeholders at the enterprise level. ERS approval signatures are not required at the Operating Company level. Country/region exceptions are documented on the ERS.

4. Definitions

Reference terms used in this standard are found in the *Worldwide Records and Information Management Program Glossary*.

5. Minimum Implementation Requirements

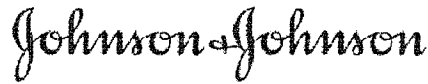
5.1. WWRIM Program Office Responsibilities

- 5.1.1. Perform periodic reviews of ERS with the Law Department, Worldwide Privacy and business stakeholders.
- 5.1.2. Ensure controls are in place for ERS updates and related processes.
- 5.1.3. Ensure the methodology used to develop and maintain the ERS is accepted by the Law Department and Information Security & Risk Management Senior Leadership.

5.2. Operating Company Responsibilities

- 5.2.1. Use the ERS as the single authoritative source for retention requirements.
- 5.2.2. Apply ERS requirements to Records and Information in all media formats. The requirements apply to Johnson and Johnson Records and Information that reside on J&J

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WWRIM Standard RIMS-12
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Effective – 01 April 2017

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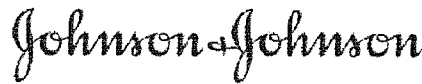
Enterprise Retention Schedule Standard

computing or storage devices, third-party/partner computing or storage devices, or personally-owned computing or storage devices.

5.2.2.1. The Records Manager shall document non-compliances following the ERS Risk Acknowledgement process with Senior Management approval.

5.2.3. Retain Records and Information in accordance with ERS, but no longer than the required retention, unless a Legal Hold has been issued by the Law Department suspending the disposal. If a Legal Hold is issued, Records and Information relevant to the subject of the Legal Hold are to be preserved until the Legal Hold is formally released in writing by the Law Department.

5.2.4. Provided they are not subject to a Legal Hold, dispose of Records and Information that have met their retention period in a secure manner that prevents unauthorized disclosure consistent with good industry practices and ensures that Records and Information cannot be recovered or reconstructed by any ordinary means.



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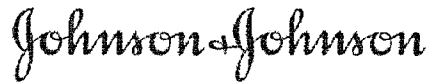
Worldwide Records and Information Management

Enterprise Retention Schedule Standard

Revision History

Version 5.0	31 December 2016	<ul style="list-style-type: none"> Background [3] Clarified wording. Added ERS is the single authoritative source for retention requirements and country/regional exceptions are documented on the ERS. Minimum Implementation Requirements [5] Renumbered the requirements. Paragraph [former 5.1] Changed responsibility for developing and managing the ERS to performing periodic reviews with the Law Department, Worldwide Privacy and business stakeholders. Paragraph [former 5.2] Replaced documented Change Management Procedure with ensuring controls are in place for ERS updates and related processes. Paragraph [former 5.3] Removed Worldwide Privacy responsibility as it is addressed in paragraph [5.1.1]. Paragraph [former 5.4] Added Information Security & Risk Management Senior Leadership must accept the ERS methodology from paragraph [former 5.5.1]. Removed paragraph [former 5.5] "While the ERS will be effective January 1, 2015, OpCo's will have until July 1, 2015 to become compliant with both the RIMS-12 Standard and ERS." As of today, all OpCo's must be compliant with RIMS-12 and ERS. Added paragraph [5.2.1] ERS is the single authoritative source for retention requirements. Removed paragraph [former 5.5.1] Acceptance is addressed in paragraph [5.1.3] and the comment that no signoff is required at the OpCo level is addressed in the Background [3]. Paragraph [former 5.6] Clarified that the Records Manager shall document any non-compliances with ERS. Replaced reference to the "form" with "process." Paragraphs [former 5.7 & 5.8] Clarified wording. Removed paragraph [former 5.9] Communications and training are addressed in RIMS-11, Training and Education Standard. Paragraph [former 5.10] Clarified wording. Removed reference to hard-copy and electronic records.
Version 4.1	14 September 2015	<ul style="list-style-type: none"> Added paragraph [5.5.1] To remove OpCo requirement to have local level signatures. Changed "Risk Exception Form" to "ERS Risk Acknowledgement Form"
Version 4.0	31 December 2014	<ul style="list-style-type: none"> Changed title from "Records Retention Schedule Standard" to "Enterprise Retention Schedule Standard." Purpose Paragraph – Clarified language. Background Paragraph – Clarified language.

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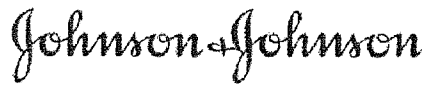
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Worldwide Records and Information Management

Enterprise Retention Schedule Standard

		<ul style="list-style-type: none"> • Changed throughout – “destruction” to “disposal.” • Changed throughout - “Records Retention Schedule” to “Enterprise Retention Schedule.” • Changed throughout - “retention time(s)” and retention period(s) to “retention requirements.” • Added a new section under Section 5 for “WWRIM Program Requirements.” • Added paragraphs [5.4] – [5.5.1] to set requirements to the Operating Company for the Exception Process and Change Control Process. • Paragraph [5.6] – Clarified language. • Removed original paragraphs [5.1], [5.2], [5.4], [5.5], [5.7], [5.8], [5.9], [5.10], [5.14] and [5.15] – obsolete with new ERS requirements.
Version 3.0	31 December 2013	<ul style="list-style-type: none"> • Added a new Section “Background” with a descriptive paragraph. • Added new paragraphs [5.1.1, 5.1.1.1, 5.1.1.2 & 5.1.1.3] Added process around Operating Company RRS modifications and the GRRS. • Paragraph [5.4] deleted the reference to Vice President or above and left reference to Senior Management as the accepted level of signatory. • Paragraph [5.5] Added requirement to submit RRS to WWRIM. • Paragraph [5.7] Last bullet added “and/or business requirement” • Paragraph [5.10] Removed trigger event table and changed to reference the GRRS.
Version 2.0	31 January 2011	<ul style="list-style-type: none"> • Paragraph [4.8] – Clarified “upper” management of department in place of “senior” management of department • Paragraph [4.9] – Changed the FTA trigger description by eliminating reference to “in no case less than seven years.”
New Standard Version 1.0	30 Sept 2009	<ul style="list-style-type: none"> • New Document Issued

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WWRIM Standard RIMS-13
Version 6.0
30 March 2018
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Worldwide Records and Information Management

Vital Records Standard

1. Purpose

This standard establishes the requirements for the identification, protection, and maintenance of Vital Records for all Johnson & Johnson Operating Companies.

2. Scope

This standard applies to all Johnson & Johnson Operating Companies.

3. Background

Vital Records are Records and Information that are fundamental to the functioning of Johnson & Johnson and its Operating Companies (referred to as the "organization") and necessary to continue business operations without excessive delay under abnormal conditions and/or disasters. Vital Records are necessary to maintain or re-establish the organization and they are a critical component of Business Continuity Plans. The Enterprise Vital Records (EVR) inventory is the authoritative source of Vital Records for all Operating Companies.

Loss of Vital Records may cause unacceptable damages to the organization's economic health, legal or regulatory status, or its ongoing viability as a business. Examples of unacceptable damages include the following:

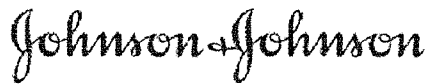
- Damage to company brand/reputation;
- Interruption of revenue flow;
- Inability to comply with legal and/or regulatory requirements;
- Fines or other penalties incurred for failure to produce required Records and Information;
- Extensive cost of reconstruction of lost or damaged Records and Information;
- Loss or decrease in customer base.

A record is not vital if:

- The information it contains can be obtained or reconstructed from other sources unlikely to be affected by the same abnormal condition/disaster, within an acceptable timeframe and at a reasonable cost; or
- Its complete and permanent loss would not pose a significant risk to the organization's ability to continue operating.

4. Definitions

Reference terms used in this standard are found in the *Worldwide Records and Information Management Program Glossary*.



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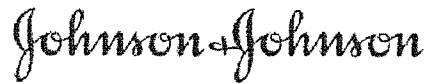
Worldwide Records and Information Management

Vital Records Standard

5. Minimum Implementation Requirements

- 5.1 The WWRIM Program Office shall maintain the EVR inventory and implement controls for periodic reviews and updates.
- 5.2 The Operating Company shall be responsible for the following:
 - 5.2.1 Use the EVR inventory as the authoritative source for Vital Records identification.
 - 5.2.2 Define Operating Company Recovery Class Levels.
 - 5.2.2.1 The recovery class should set forth the time frame for which the Vital Records must be restored to operation in hours, days, weeks or other suitable measures of time.
 - 5.2.2.2 Example Vital Records Recovery Class Level Scheme:
 - Recovery Class Level 1
 - Records and Information needed for emergency operations (for example, Business Continuity Plan).
 - Recovery Class Level 2
 - Records and Information needed within the first xx hours/x days after an abnormal condition/disaster for immediate resumption and continuation of business.
 - Recovery Class Level 3
 - Records and Information essential for reestablishing the legal and financial position of the Operating Company and are needed within the first x/xx days after an abnormal condition/disaster.
 - Recovery Class Level 4
 - Records and Information that are vital, but do not require recovery within the first x/xx weeks after an abnormal condition/disaster.
 - 5.2.3 Assess and determine cost-effectiveness of protection and retrieval methods of Vital Records.
- 5.3 The Department/Business Unit shall be responsible for the following:
 - 5.3.1 Identify Department/Business Unit Vital Records in alignment with the EVR inventory.
 - 5.3.2 Secure Vital Records in a manner that preserves and protects the integrity of the records.
 - 5.3.3 Assign Recovery Class Levels to Vital Records.
 - 5.3.3.1 The Vital Records Recovery Class Level shall be based on the content of the Records and Information and shall not be based on media format.
 - 5.3.4 Recover Vital Records according to their Recovery Class Level in the event of an abnormal condition/disaster.

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Vital Records Standard

5.3.5 Protect Vital Records via dispersal, protective storage or a combination of both in compliance with the methods defined in Table 1.

5.3.5.1 Vital Records protected prior to the effective date of this Standard are not subject to the protection methods defined in Table 1.

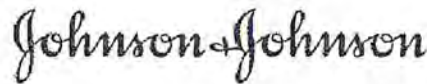
5.3.5.2 The following shall be considered to determine the appropriate method of protection for Vital Records:

- Environmental requirements for the media type.
- Recovery Class Level and associated recovery timeframes.
- Security requirements.
- Availability of budget and resources.

Table 1 – Vital Records Acceptable Protection Methods

Format	Location	Protection Methods	Dispersed Copy	Considerations
PAPER	J&J Onsite (department files / central storage) or Offsite Storage Vendor Facility	Dispersal*	<ul style="list-style-type: none"> - Scan to electronic format and store in a J&J application or in a secure area on the J&J Network with a data backup. <p>or</p> <ul style="list-style-type: none"> - Offsite vendor scans to electronic format and stores in their application. 	<ul style="list-style-type: none"> - "Implementation of True Copy Processes for Physical Record Conversion to Electronic Format" must be followed. If applicable, dispose of the paper record. ** - Ensure data backup process/schedule meets recovery needs. <p>If an offsite vendor scans and stores the record, then:</p> <ul style="list-style-type: none"> - Both the electronic and paper versions must be dispersed at the offsite storage vendor. - The vendor must complete a Business Partner Risk Assessment (BPRA) per the J&J Information Asset Protection Policies.
		Protective Storage	Not Applicable	<ul style="list-style-type: none"> - Onsite cabinet/vault/room or offsite storage location must meet requirements for protective storage.

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Vital Records Standard

Vital Records Acceptable Protection Methods				
Format	Location	Protection Methods	Dispersed Copy	Considerations
ELECTRONIC	J&J Application / J&J Network	Dispersal*	- Data Backup	<ul style="list-style-type: none"> - Ensure data backup process/schedule meets recovery needs. - If applicable, dispose of the Mobile Device. **
	or Desktop (hard drive) or Mobile Device (USB/flash drive, external hard drive, CD, DVD, tape, etc.)		or - Copy the record from the desktop or mobile device and store in a J&J application or in a secure area on the J&J Network with data backup.	

*Recommended protection method.

**Specific circumstances, such as Legal Holds, contracts in countries that do not except eSignatures, etc. may prevent disposal.

5.4 The RIM program shall be responsible for the following:

5.4.1 Maintain a master list of the Operating Company's Vital Records for inclusion in the Business Continuity Plan. At a minimum, the master list shall include:

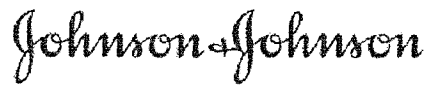
- EVR Title
- ERS Code
- ERS Functional Category
- Department/Business Unit
- Vital Record Format (i.e. paper, electronic, paper/electronic, microfilm or microfiche)
- Vital Record Location (i.e. application name, network location, local device, department physical files, onsite central storage room, offsite storage vendor)
- Method of Protection (dispersal, protective storage or combination of both)
- Duplicate Record Format (only required if protection method includes dispersal)
- Duplicate Record Location (only required if protection method includes dispersal)
- Recovery Class Level

5.4.2 Provide guidance to the Department/Business Unit on access and protection methods for Vital Records.

5.4.3 Conduct periodic retrieval tests to ensure selected Vital Records can be effectively and efficiently recovered for resumption of business operations in the event of an abnormal condition/disaster.

5.5 Any exceptions to this standard must be approved by Operating Company Senior Management.

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Vital Records Standard

Revision History

Version 6.0	31 December 2018	<ul style="list-style-type: none"> • Clarified wording and reordered requirements throughout. • Changed “abnormal condition” and “disaster” to “abnormal condition/disaster” throughout. • Background [3] Added the Enterprise Vital Records Inventory (EVR) is the authoritative source of Vital Records for all Operating Companies. Added “A record is <u>not</u> vital if...” • Approach [former 5] Removed section. Removed dispersal and protective storage definitions and added them to the WWRIM Program Glossary • Minimum Implementation Requirements [former 6 now 5] Added WWRIM Program Office responsibilities for maintaining and reviewing the EVR inventory. • Paragraph [former 6.1 and 6.1.1] Replaced protection examples with vital records acceptable protection methods. New requirements addressed in paragraphs 5.3.5 and 5.3.5.1. • Added Paragraph [5.2.1] OpCo is responsible for using the ERV inventory as the authoritative source for Vital Records identification. • Added Paragraph [5.3.1] Department/Business Unit is responsible for identifying Vital Records in alignment with the EVR inventory. • Added Paragraph [5.3.2] Department/Business Unit is responsible for securing vital records in a manner that preserves and protects the integrity of the records. • Changed responsibility for recovering Vital Records from the Operating Company to the Department/Business Unit. • Paragraph [5.3.5] Clarified the Department/Business Unit is responsible for protecting vital records in accordance with Table 1. • Added Paragraph [5.3.5.1] Vital Records protected prior to the effective date of this Standard are not subject to the protection methods defined in Table 1. • Added Paragraph [5.3.5.2] Acceptable protection method considerations and requirements. • Paragraph [5.4.1] Modified the requirements for the Operating Company's Vital Records Master List.
Version 5.0	31 December 2016	<ul style="list-style-type: none"> • Clarified wording and reordered requirements throughout. • Approach [5] Clarified wording and added description for protective storage. Removed requirement for implementing a procedure to ensure the Vital Records are kept current. Removed Operating Company Sr. Mgt. must agree to protect vital records or tolerate the risk of not protecting them via a formal approved exception. • Minimum Implementation Requirements [6] Divided OpCo

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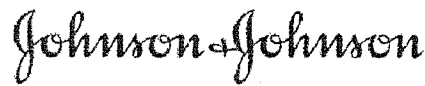
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Vital Records Standard

		<p>responsibilities into RIM Program, Department/Business Unit and Operating Company.</p> <ul style="list-style-type: none"> • Paragraph [former 6.1] Requirements addressed in paragraph [6.2.2]. • Paragraph [former 6.2.1] Added dispersal example and clarified examples. • Paragraph [6.2] Added RIM Program responsibilities (some were previously OpCo responsibilities). • Added paragraph [6.2.1] Providing guidance to Department/Business Unit on Vital Records processes. • Paragraph [6.2.2] Modified master list of OpCo Vital Records requirements. Removed repository name, repository system and record types. Added record name/title, ERS code and ERS functional category. • Paragraph [6.3] Added Department/Business Unit responsibilities (previously were OpCo responsibilities). • Removed paragraph [former 6.3.2] Requirements addressed in paragraphs [6.2.1 & 6.3]. • Removed paragraphs [former 6.3.3, 6.3.4 & 6.3.5] Requirements for determining the level of risk associated with the potential loss of Vital Records and related costs. • Removed paragraph [former 6.4] Requirements addressed in paragraph [6.3.2]. • Paragraph [former 6.4.1] Changed "Vital Information Recovery Class Levels" to "Example Vital Records Recovery Class Level Scheme." • Removed paragraphs [former 6.5, 6.5.1, 6.5.3 & 6.5.4] Requirement for OpCo procedures for the following: strategy and decision for identifying Vital Records, determining protection methods and assigning Recovery Class Levels; method for keeping Vitals Records list current; method for controlling access to vital records and their copies. • Paragraph [former 6.5.2] Requirements addressed in paragraph [6.2.2]. • Paragraph [former 6.5.5] Requirements addressed in paragraph [6.4.2]. • Paragraph [former 6.5.6] Requirements addressed in paragraph [6.4.3]. • Paragraph [former 6.5.7] Requirements addressed in paragraph [6.2.3]. • Paragraph [6.4.1] Added OpCo responsibility for defining recovery class levels. • Paragraph [former 6.6] Requirements addressed in paragraph [6.5].
Version 4.0	31 December 2014	<ul style="list-style-type: none"> • Paragraph [6.1] - Added information about master Vital Information List. • Paragraph [6.2] - Added requirement for ease of

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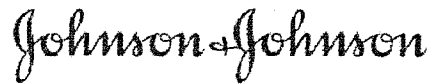
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		<ul style="list-style-type: none"> irretrievability. Paragraph [6.5.6] - Added requirement for cost-effectiveness determination.
Version 3.0	31 December 2013	<ul style="list-style-type: none"> Background section [2] Added a paragraph on the goal of protecting vital records. Paragraph [6.4] Removed - specific hours, days, months in recovery class table. Paragraph [6.5.2] Changed required fields in vital records list. Paragraph [6.5.6] Changed - testing period from "annual" to "periodic."
Version 2.0	31 January 2011	<ul style="list-style-type: none"> Paragraph [5] – Modified description of acceptable approach for protecting Vital Records per revised ANSI/ARMA standard. Paragraph [6.1] – Added protective storage and protective storage plus dispersal as acceptable means of protecting Vital Records. Paragraph [6.1.1] and [former 6.1.2] – Merged the two paragraphs to include and expand on examples of acceptable protection for Vital Records. Paragraph [6.1.2] – Added option of "protective storage" alone to the risk-based protection scenario. Paragraph [6.6.2] - REMOVED "Retention Period" as a required field. ADDED "Record Owner" as a required field. Minor grammatical and typographical changes
New Standard Version 1.0	30 September 2009	<ul style="list-style-type: none"> New Document Issued

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WWRIM Standard RIMS-14
Version 5.0
31 December 2016
Effective – 01 April 2017

Worldwide Records and Information Management

Management of Records for System Decommissioning Standard

1. Purpose

This standard defines the Johnson & Johnson Records and Information Management requirements for decommissioning a system.

2. Scope

This standard applies to all Johnson & Johnson Operating Companies.

3. Background

Based on emerging technology and business requirements, systems sometimes need to be retired or decommissioned. The decommissioning process involves, at a minimum, the following stakeholders: Information Technology (IT), Information Asset Owners, Records Management and the Law Department.

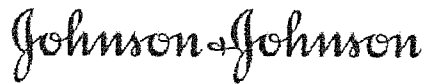
4. Definitions

Reference terms used in this standard are found in the *Worldwide Records and Information Management Program Glossary*.

5. Minimum Implementation Requirements

- 5.1. Processes and tools specified by Worldwide Records and Information Management shall be used when decommissioning a system that contains Johnson and Johnson information.
- 5.2. The System Development Lifecycle (SDLC) Retirement Track shall be followed when decommissioning a system.
- 5.3. Records Management shall work with the Information Asset Owners to determine the appropriate retention in compliance with the *J&J Enterprise Retention Schedule*.
- 5.4. Information Asset Owners are responsible for performing due diligence to identify applicable Legal Holds, and ensuring adherence to applicable preservation standards before decommissioning a system.
 - 5.4.1. Systems containing information subject to Legal Hold must be preserved in compliance with the *Requirements for Preservation of Data from Systems Under Legal Hold* issued by the Law Department.
- 5.5. Information that must be retained shall be migrated to another system or archived to the J&J Enterprise Archiving Solution, in accordance with *WWRIM RIMS-16, Electronic Records and Information Archiving Standard* until it has met the retention and/or Legal requirements.
- 5.6. The integrity of the information shall be preserved in compliance with *Johnson & Johnson Information Asset Protection Policy (IAPP) S-4 Worldwide Information Classification Policy*.

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WWRIM Standard RIMS-14
Version 5.0
31 December 2016
Effective – 01 April 2017

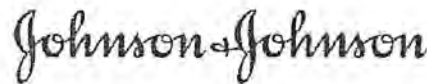
Worldwide Records and Information Management

Management of Records for System Decommissioning Standard

Revision History

Version 5.0	31 December 2016	<ul style="list-style-type: none">• Changed "system and data business owners" to "Information Asset Owners" throughout.• Changed "Operating Company Records Manager" to "Records Management" throughout.• Background [former 2] Clarified wording. Added the Law Department to the stakeholders. Moved Records Management's role to paragraph [5].• Paragraph [5] Reordered and clarified wording.• Added paragraph [5.1] Processes and tools specified by WWRIM shall be used when decommissioning a system that contains J&J information.• Paragraphs [former 5.1 and 5.2] Updated and combined into paragraph [5.3]. Removed reference to near-line and off-line storage.• Removed paragraph [former 5.3] Vital record status does not pertain to system decommissioning.• Added paragraph [5.4] Information Asset Owners are responsible for performing due diligence to identify applicable Legal Holds, and ensuring adherence to applicable preservation standards before decommissioning a system.• Added paragraph [5.4.1] Systems containing information subject to Legal Hold must be preserved in compliance with the Requirements for Preservation of Data from Systems Under Legal Hold issued by the Law Department.• Removed paragraph [former 5.4] Requirements addressed in paragraph [5.4.1].• Removed paragraph [former 5.4.1] Requirement no longer applies.• Paragraph [former 5.5] Removed reference to near-line and off-line storage. Added requirement for archiving to the J&J Enterprise Archiving Solution, per RIMS-16. Separated requirement for preserving the integrity of the information into paragraph [5.6]. Added reference to IAPP S-4.• Removed paragraph [former 5.6] IT disposal requirements do not apply to the standard.• Removed paragraphs [former 5.7, 5.7.1 and 5.7.2] Requirements for decommissioning documentation is determined through the SDLC process.• Removed paragraph [former 5.8] Requirements addressed in paragraph [5.2].
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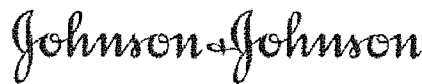
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Worldwide Records and Information Management

Management of Records for System Decommissioning Standard

Version 4.0	31 December 2014	<ul style="list-style-type: none"> Removed Paragraph [5.1] - not the Operating Company's responsibility. Changed throughout - "Records Retention Schedule" to "Enterprise Retention Schedule."
Version 3.0	31 December 2013	<ul style="list-style-type: none"> Changed throughout "Document Hold" to "Legal Hold" Paragraph [5.1] Clarified wording – Record Managers shall develop a communication to ensure the appropriate business owners consult them when a system is being decommissioned. Paragraph [5.6] Clarified wording – Retaining information shall be managed during and after the transfer in such a way as to ensure the integrity of the information. Paragraph [5.5.1] Clarified wording - Records Manager shall consult with the Johnson & Johnson Law Department if necessary. Paragraph [5.8.3] Removed- redundancy. Paragraph [5.8.4] Removed- inherent within new [5.9]. New Paragraph [5.9] Added - reference to SDLC.
Version 2.0	31 January 2011	<ul style="list-style-type: none"> Paragraph (former)[5.3] – Moved contents of former [5.3] to [5.8.1] Paragraph [5.8] – Revised to reflect the development of system decommissioning documentation is not a Records Manager's responsibility Paragraph [5.8.2] – Revised to reflect requirement for Records Manager's sign-off Paragraph [5.10] – REMOVED – partially replaced with [5.8.2]
New Standard Version 1.0	30 September 2009	<ul style="list-style-type: none"> New Document Issued

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WWRIM Standard RIMS-15
Version 5.0
31 December 2016
Effective – 01 April 2017

Worldwide Records and Information Management

Management of Electronic Records and Information Standard

1. Purpose

This standard specifies the minimum requirements related to the management and disposition of electronic Records and Information for Johnson & Johnson Operating Companies.

2. Scope

This standard applies to all Johnson & Johnson Operating Companies.

3. Definitions

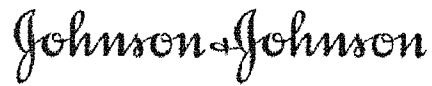
Electronic Records and Information are defined as any combination of text, graphics, data, audio, pictorial, or other information in digital form that is created, modified, maintained, archived, retrieved, or distributed by a computer system or portable electronic device.

All other reference terms used in this standard are found in the *Worldwide Records and Information Management Program Glossary*.

4. Minimum Implementation Requirements

- 4.1. Management of electronic Records and Information shall comply with the *Worldwide Records and Information Management Policy and Standards* requirements as well as with the Johnson & Johnson *Worldwide Information Asset Protection Policies* (IAPPs).
- 4.2. The Operating Company shall develop and implement procedures to assure electronic Records and Information are managed in compliance with the following requirements:
 - 4.2.1. Electronic Records and Information shall be retained per the *J&J Enterprise Retention Schedule*;
 - 4.2.2. Electronic Records and Information subject to a Legal Hold shall be preserved until the Law Department issues a written release;
 - 4.2.3. Electronic Records and Information eligible for disposition shall be disposed of in a secure manner consistent with industry "good practice" to ensure the Records and Information cannot be recovered or reconstructed by any ordinary means.
- 4.3. The Department/Business Unit shall ensure the electronic Records and Information are managed in a manner that is reasonably calculated for completeness, integrity and confidentiality, based upon their characteristics and use.
 - 4.3.1. Systems shall have sufficient Disaster Recovery Backups to protect the production environment, including the system, application and associated data, from loss or impairment;
 - 4.3.2. Systems shall have the capability to extract and preserve information subject to a Legal Hold;
 - 4.3.3. Authorization for access to electronic Records and Information, other than to perform system administration tasks, shall be controlled by the Department/Business Unit;

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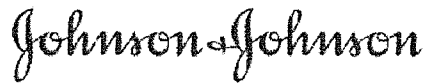


WWRIM Standard RIMS-15
Version 5.0
31 December 2016
Effective – 01 April 2017

Worldwide Records and Information Management

Management of Electronic Records and Information Standard

- 4.3.4. Electronic Records and Information shall be accessible and managed in active computing environments over the period of time that the information is needed for business purposes.
- 4.4. Electronic Records and Information that are no longer needed for business purposes shall be archived as per the WWRIM RIMS-16 Records and Information Archiving Standard.



WWRIM Standard RIMS-15
Version 5.0
31 December 2016
Effective – 01 April 2017

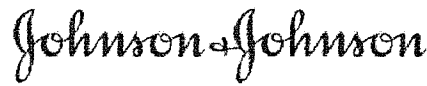
Worldwide Records and Information Management

Management of Electronic Records and Information Standard

Revision History

Version 5.0	31 December 2016	<ul style="list-style-type: none"> Paragraphs [4.2, 4.2.1, 4.2.2] Clarified wording. Removed paragraph [former 4.3.1] Systems shall be configured in such a way as to accurately capture or create electronic Records and Information. Removed paragraph [former 4.3.2] System operators shall assign security to a system in conformance with IAPP requirements. Paragraphs [former 4.3.3, 4.3.4, & 4.4] Clarified wording.
Version 4.0	31 December 2014	<ul style="list-style-type: none"> Paragraph [4.2.1] – Changed to "RRS" to "Enterprise Retention Schedule Standard." Paragraph [4.2.3] – Changed "destruction" and "destroyed" to "disposition" and "disposed."
Version 3.0	31 December 2013	<ul style="list-style-type: none"> Changed throughout "Document Hold" to "Legal Hold" Definitions [3] Added - "or portable electronic device." Paragraph [former 4.2.3] Removed- condensed within new [4.2.3]. Paragraph [former 4.2.3.2] now [4.4] Included "if they are eligible for archiving." Paragraph [former 4.2.4] Removed- condensed within new [4.2.3]. Paragraph [former 4.2.5] now [4.2.3] Clarified wording – removed references to other paragraphs. Paragraph [4.3] Clarified wording. Minor change Paragraph [4.3.1] Changed - "developed" to "configured" Paragraph [former 4.3.2 - 4.3.3] Removed- addressed in [4.3.4] and [4.3.5]. Paragraph [former 4.3.4] now [4.3.2] Reworded – simplified wording. Paragraph [former 4.3.5] now [4.3.3] Clarified wording. Paragraph [4.3.6] Reworded- Direction for the Operating. Company to have a procedure for extracting and preserving information subject to a legal Hold.
Version 2.0	31 January 2011	<ul style="list-style-type: none"> Paragraph (former) [4.3.3] – REMOVED – partially addressed in [4.3.2]. Paragraph 4.3.5 – removed the word "tape."
New Standard Version 1.0	30 September 2009	<ul style="list-style-type: none"> New Document Issued

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WWRIM Standard RIMS-16
Version 5.0
31 December 2016
Effective – 01 April 2017

Worldwide Records and Information Management

Electronic Records and Information Archiving Standard

1. Purpose

This standard specifies the minimum requirements for archiving electronic Records and Information for long-term preservation and access.

2. Scope

This standard applies to all Johnson & Johnson Operating Companies.

3. Background

Electronic Records and Information that are no longer needed for business purposes but must be retained for compliance with the *J&J Enterprise Retention Schedule* (ERS) and/or applicable Legal Holds shall be archived.

4. Definitions

J&J Enterprise Archiving Solution (EAS) - Information Technology Shared Services approved solution for long-term storage of electronic Records and Information.

All other referenced terms used in this standard are found in the *Worldwide Records and Information Management Program Glossary*.

5. Minimum Implementation Requirements

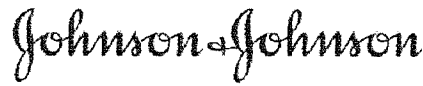
5.1. The EAS shall be used for archiving electronic Records and Information.

5.1.1. The EAS service owner may make an Exception Request using Worldwide Records and Information Management processes and tools when the EAS cannot meet the business archive requirements. The request must be approved by both IT Senior Management and the EAS service owner.

5.2. The Archive service shall have procedures in place to meet the following:

- The archive shall be maintained in a manner that ensures the Records and Information, and associated metadata, are accessible and readable;
- The archive shall be protected from unauthorized alteration;
- The archive shall be backed-up on a regular basis;
- The archive shall be indexed for ease of access and include key identifiers and associated metadata;
- The archive shall comply with the ERS;
- The archive shall have the ability to add or remove Legal Holds;
- The archive shall have the ability to tag Legal Holds so routine records retention operations are suspended;
- The archive shall comply with the *Requirements for Preservation of Data from Systems Under Legal Hold* issued by the Law Department.

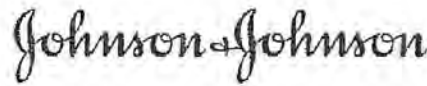
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Worldwide Records and Information Management

Electronic Records and Information Archiving Standard

- 5.3. Access to archived electronic Records and Information shall be restricted to the Information Asset Owner and those individuals specifically delegated and authorized by the Information Asset Owner.
- 5.4. Prior to archiving the electronic Records and Information, the following shall be met:
 - 5.4.1. The Information Asset Owner or delegate shall engage Record Management to ensure retention requirements have been assigned in accordance with the ERS;
 - 5.4.2. The Information Asset Owner or delegate shall identify any electronic Records and Information subject to Legal Hold(s) in consultation with Records Management and the Law Department.
 - 5.4.3. When decommissioning a system, ***RIMS-14, Management of Records for System Decommissioning Standard*** shall be met.
- 5.5. After archival of the electronic Records and Information, the following shall be met:
 - 5.5.1. The Archive service, in collaboration with Records Management, shall monitor for changes to the ERS and adjust retention periods to ensure compliance;
 - 5.5.2. The Information Asset Owner and the Law Department shall monitor for Legal Hold obligations and notify the Archive service owner to apply or remove Legal Hold(s);
 - 5.5.3. Archived Electronic Records and Information subject to multiple Legal Holds shall be retained until all applicable Legal Holds are released.
- 5.6. The Archive service or delegate shall notify Records Management and the Information Asset Owner when archived electronic Records and Information are eligible for disposition.
 - 5.6.1. The Information Asset Owner, in collaboration with Records Management, shall approve deletion of electronic Records and Information from the Archive service, in compliance with ERS and Legal Hold obligations.
 - 5.6.2. The disposition shall be documented using Worldwide Records and Information Management tools and shall be retained by the Archive service.
- 5.7. Upon departure or change of responsibility of the Information Asset Owner, the Operating Company shall appoint a replacement and update the appropriate designators in the Archive service.



WWRIM Standard RIMS-16
Version 5.0
31 December 2016
Effective – 01 April 2017

Worldwide Records and Information Management

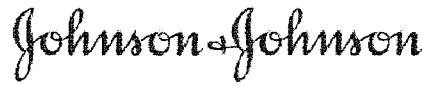
Electronic Records and Information Archiving Standard

Revision History

Version 5.0	31 December 2016	<ul style="list-style-type: none"> • Changed the title from "Records and Information Archiving Standard" to "Electronic Records and Information Archiving Standard." • Changed "Data Owner or Steward" to "Information Asset Owner" throughout. • Purpose [1] & Background [former 2] Clarified wording. • Definitions [4] Added acronym "EAS" for J&J Enterprise Archive Solution. Changed "services and technologies" to "solution" in EAS definition. • Paragraph [former 5.1] Moved to paragraph [5.2]. Clarified that the Archive service shall have procedures in place to meet the bullet points. Updated [first & fourth bullets] to include metadata. [fifth bullet] Changed "... support the ERS" to "...comply with the ERS." Added [sixth bullet] The archive shall have the ability to add or remove Legal Holds. Added [seventh bullet] The archive shall have the ability to tag Legal Holds so routine records retention operations are suspended. Added [eighth bullet] The archive shall comply with the Requirements for Preservation of Data from Systems Under Legal Hold issued by the Law Department. • Paragraph [former 5.2] Move to paragraph [5.1]. Clarified wording. • Added paragraph [5.1.1] The EAS service owner may make an Exception Request using Worldwide Records and Information Management processes and tools when the EAS cannot meet the business archive requirements. The request must be approved by both IT Senior Management and the EAS service owner. • Paragraph [former 5.4] Changed "Prior to or as part of archiving" to "Prior to archiving." Moved responsible parties to paragraphs [5.4.1 and 5.4.2]. • Paragraph [5.4.2] Clarified wording. Changed responsibility to the Information Asset Owner in consultation with RIM and Law Department. • Added paragraph [5.4.3] When decommissioning a system, RIMS-14, Management of Records for System Decommissioning Standard shall be met. • Removed paragraph [former 5.5] Disposition process is addressed in paragraphs [5.6, 5.6.1,
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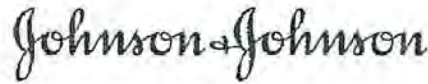
WWRIM Standard RIMS-16
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Electronic Records and Information Archiving Standard

		<p>5.6.2].</p> <ul style="list-style-type: none"> • Paragraph [former 5.6] Moved responsible parties to paragraphs [5.5.1 and 5.5.2]. Changed "Upon archival..." to "After archival..." • Added paragraph [5.5.3] Archived electronic Records and Information subject to multiple Legal Holds shall be retained until all applicable Legal Holds are released. • Paragraphs [former 5.6.2 and 5.6.3] Combined into paragraph [5.5.2]. Clarified wording. Changed collaboration with the Operating Company Records Manager to the Law Department. • Added paragraph [5.6] The Archive service or delegate shall notify Records Management and the Information Asset Owner when archived electronic Records and Information are eligible for disposition. • Paragraph [former 5.6.1] Clarified responsibilities. The Information Asset Owner, in collaboration with Records Management, shall approve deletion of electronic Records and Information from the Archive Service, in compliance with ERS and Legal Hold obligations. • Added paragraph [5.6.2] The disposition shall be documented using Worldwide records and Information Management tools and shall be retained by the Archive service. • Paragraph [5.7] Removed reference to CMDB.
Version 4.1	01 October 2015	<ul style="list-style-type: none"> • Paragraph [2. Background] Removed – (e.g., analysis, summarizing, active usage), and internal or external auditing/assessments. • Paragraph [2. Background] Added - When Electronic Records and Information are no longer needed for business purposes, they must be archived as necessary to comply with preservation requirements of the ERS, regulatory requirements and applicable Legal Holds. • Paragraph [4. Definitions] Revised – J&J Enterprise Archiving Solution - the Information Technology Shared Services approved services and technologies for long-term storage of Electronic Records and Information. • Paragraph [5.1] Revised - ensuring archiving shall have documented procedures in place to ensure compliance with the ERS, Legal and regulatory requirements. • Paragraph [5.2] Added - the J&J Enterprise

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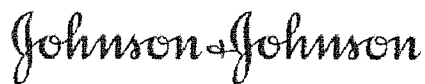
WWRIM Standard RIMS-16
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Worldwide Records and Information Management

Electronic Records and Information Archiving Standard

		<p>Archiving Solution shall be used.</p> <ul style="list-style-type: none"> • Paragraph [5.3] Added – Access to the archive shall be restricted to the Data Owner or Steward. • Paragraph [5.4] Clarified wording - Engage the Records Manager to ensure archiving obligations have been met. • Paragraph [5.5] Added – Document and retain an agreed upon disposition plan using the WWRIM approved disposition form. • Paragraph [5.7] Added – Upon departure or change of the Data owner or Steward, the Operating Company will appoint a replacement and update the CMDB with the change.
Version 4.0	31 December 2014	<ul style="list-style-type: none"> • Changed throughout - "Operating Company Retention Schedule" to "J&J Enterprise Retention Schedule." • Changed throughout - "period" to "requirement." • Changed throughout – "destruction" to "disposal."
Version 3.0	31 December 2013	<ul style="list-style-type: none"> • Changed throughout "Document Hold" to "Legal Hold". • Paragraph [5.1.4] Added - "protected from unauthorized alteration to the extent reasonably possible". • Paragraph [5.1.5] Added – disposition. • Paragraph [5.1.6] Removed – "technology used to either store or manage." • Paragraph [5.1.6.1] Clarified wording. Minor change • Paragraph [5.1.6.2] Clarified wording. Minor change • Paragraph [5.1.6.3] Removed – "disaster and recovery purposes." • Paragraph [5.1.6.4] Clarified wording. Minor change • Paragraph [5.1.7] Revised to include backups used for system restoration shall not be used for archiving. • Paragraph [5.2.4] Revised to Include records eligible for destruction are reviewed against current active Legal Holds and if subject to a Legal Hold Notice, are retained until the release notice for the hold has been received from the Johnson & Johnson Law Department. • Paragraph [former 5.2.5] Removed- condensed

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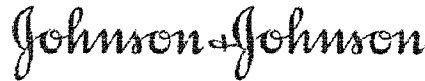


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Worldwide Records and Information Management
Electronic Records and Information Archiving Standard

		<p>within 5.2.4].</p> <ul style="list-style-type: none">• Paragraph [former 5.3] now [5.2.6] Removed the requirement "minimum of six years" and clarified wording.• Moved the last sentence in paragraph [5.3] to the beginning of paragraph [5.4].• Paragraph [5.4] Added – Legal Hold Notice, if applicable.
3Version 2.0	31 January 2011	<ul style="list-style-type: none">• Paragraph [5.5] – Removed "Last modified date" as a required field
New Standard Version 1.0	30 September 2009	New Document Issued

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WWRIM Standard RIMS-17
Version 5.0
31 Decmeber 2016
Effective – 01 April 2017

Worldwide Records and Information Management

Backup Retention Standard

1. Purpose

This standard defines the minimum requirements for retention of data backups.

2. Scope

This standard applies to all Johnson & Johnson Operating Companies.

3. Background

Data backups are generated to ensure that electronic Records and Information can be reconstructed in the event of computer hardware or software failures, computer viruses, natural disaster or other problems in the computer operating environment.

4. Definitions

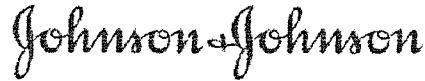
Data backups are snapshots of electronic Records and Information created for business resumption.

All other reference terms used in this standard are found in the *Worldwide Records and Information Management Program Glossary*.

5. Minimum Implementation Requirements

- 5.1. Data backups shall be generated on production systems where data must be retained per the Enterprise Retention Schedule.
- 5.2. Data back-ups are not required for non-production environments (e.g. development, staging, etc.), unless unique production data is stored in these environments.
- 5.3. Data backups shall not be used for other purposes such as archive or legal obligations.
- 5.4. Data backups shall be generated on a routine basis to ensure the previous 30 days of data is available.
- 5.5. Data backups shall be reasonably protected from damage or data loss in compliance with Johnson & Johnson Information Asset Protection Policy (IAPP) S-26 *Worldwide Information System Administration and Management Security Policy*.
- 5.6. If data backups are stored in a facility that is not operated by Johnson & Johnson, that facility shall be:
 - 5.6.1. Audited by the responsible Operating Company prior to storing data at the facility;
 - 5.6.2. Periodically audited by the responsible Operating Company to ensure continued compliance.

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Version 5.0
31 Decmeber 2016
Effective – 01 April 2017

Worldwide Records and Information Management

Backup Retention Standard

- 5.7. Data backup media shall be labeled or tagged with information or metadata sufficient to ensure that the information on the media object can be correlated to a system or repository for purpose of restoration or rotation.
- 5.8. The metadata associated with the data backup shall be recorded separately for tracking and reporting purposes.
- 5.9. Data backups shall be maintained in a manner that ensures readability for the period of time that they are maintained in the active rotation cycle.
- 5.10. Data backups shall be destroyed, wiped or overwritten when they are no longer of value.
- 5.11. Data backups shall be disposed in compliance with *S-26 Worldwide Information System Administration and Management Security Policy*.



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31 Decmeber 2016
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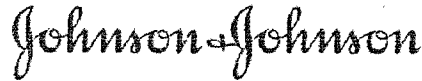
Worldwide Records and Information Management

Backup Retention Standard

Revision History

Version 5.0	31 December 2016	<ul style="list-style-type: none">• Changed title from "Disaster Recovery Backup Retention Standard" to "Backup Retention Standard."• Background [former 2] Clarified wording. Moved language related to data backups not being used as archive solutions to paragraph [5.3].• Definitions [4]. Updated "Data backups" definition and removed "Archives" definition.• Added paragraph [5.1] Data backups shall be generated on production systems where data must be retained per the Enterprise Retention Schedule.• Moved paragraph [former 5.1.1] requirements for non-production environments to paragraph [5.2].• Removed paragraphs [former 5.2, 5.3, 5.3.1 & 5.3.3].• Moved paragraph [former 5.3.2] requirements for overwriting data backups to paragraph [5.10] and the requirements for disposal of data backups in compliance with S-26 to paragraph [5.11].• Added paragraph [5.4] Data backups shall be generated on a routine basis to ensure the previous 30 days of data is available.• Moved paragraph [former 5.4] requirements for protecting data back-ups to paragraph [5.5]. Clarified wording.• Moved paragraph [former 5.4.1] requirements for auditing storage facilities to [paragraphs 5.6, 5.6.1 & 5.6.2]. Clarified wording. Operating Company is responsible for auditing the facility.• Moved paragraph [former 5.4.2] requirements for labeling or tagging data back-ups to paragraph [5.7].• Removed paragraphs [former 5.5, 5.5.1, 5.5.2, 5.5.3, 5.5.5, 5.5.6, 5.5.7, 5.5.8].• Moved paragraph [former 5.5.4] requirements for ensuring readability of data backups to paragraph [5.9]. Clarified wording.• Added paragraph [5.8] The metadata associated with the data backup shall be recorded separately for tracking and reporting purposes.
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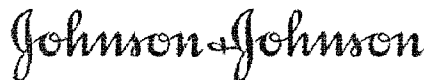
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Worldwide Records and Information Management

Backup Retention Standard

Version 4.0	31 December 2014	<ul style="list-style-type: none"> • Changed throughout - "Operating Company Retention Schedule" to "J&J Enterprise Retention Schedule." • Changed throughout - "retention period" to "retention requirement." • Changed throughout – "destroyed" to] "disposed."
Version 3.0	31 December 2013	<ul style="list-style-type: none"> • Changed throughout "Document Hold" to "Legal Hold". • Purpose [1.] Changed - "minimum" to 'minimal' and "disaster recovery" to "data backup." • Background [2.] Changed - "disaster recovery" to "data backup" in both paragraphs. Second paragraph changed "business reasons" to "circumstances." • Definitions [4.] Changed - "disaster recovery" to "data backup". Revised to include "intended only for near-term system restoration purposes". Second paragraph - included "that require further retention for business or compliance purposes other than disaster recovery" added the definition for near-term. • Paragraph [5.1] Changed – "disaster recovery" to "data backup" and "take precedence" to "shall apply." • New Paragraph [5.3] Direction for any system not covered by the mandatory rotation cycle. Added wording in the table "30 days incremental backups" and "90 days file level full back-up." • Paragraph [5.3.2] Included reference to IAPP Policy S-26. • Paragraph [5.3.3] Changed - "disaster recovery" to "data backup." • Paragraph [former 5.3] now [5.4] Changed "in storage and during transport" to "protected from damage or data loss during the period they are in rotation" and "disaster recovery" to "data backup." • New Paragraph [5.4.2] Direction on backup media shall be labeled or tagged for the purpose of restoration or rotation. • Paragraph [former 5.4.4] now [5.5.4] Clarified wording. Minor change • Paragraph [5.4.6] now [5.5.6] Clarified wording. Minor change • Paragraph [former 5.4.7] now [5.5.7] Clarified wording. Minor Change

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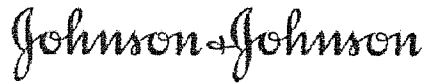
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31 Decmeber 2016
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Backup Retention Standard

		<ul style="list-style-type: none">• Paragraph [former 5.5.1] Removed, and Paragraph [former 5.5.1] now [5.5.2].
Version 2.0	31 January 2011	<ul style="list-style-type: none">• Paragraph [5.1.1] – Specified retention of backups for development environment data is not required from a records management perspective.• Paragraph [5.2] – Clarified that backups are returned to the rotation cycle after their active retention period has expired.• Paragraph [5.4.6] - Changed formal "instruction" to formal "authorization";• Minor organizational name changes.
New Standard Version 1.0	30 October 2009	<ul style="list-style-type: none">• New Document Issued

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WWRIM Standard RIMS-18
Version 5.0
31 December 2016
Effective – 01 April 2017

Worldwide Records and Information Management Electronic Messaging Standard

1. Purpose

The purpose of this standard is to define the requirements for managing electronic messages.

2. Scope

This standard applies to all Johnson & Johnson Operating Companies.

3. Definitions

Electronic messages are records and information created and transmitted or received via an electronic messaging system, including brief notes, formal or substantive narratives and any attachments that may be transmitted with the message along with its descriptive transmission metadata. Electronic messages may include email and instant messages.

All other reference terms used in this standard are found in the *Worldwide Records and Information Management Program Glossary*.

4. Minimum Implementation Requirements

- 4.1. Electronic messages created or received in the course of doing business for the Johnson & Johnson Family of Companies are subject to required Johnson & Johnson policies and standards, including but not limited to the following:
 - *Johnson & Johnson Worldwide Records and Information Management Policy and Standards*;
 - *Johnson & Johnson Worldwide Information Asset Protection Policies (IAPPs)* and associated standards.
- 4.2. Electronic messages that are Convenience Information shall be deleted after use provided they are not subject to an active Legal Hold.
- 4.3. Electronic messages that are not considered Convenience Information shall be retained in a manner consistent with the *J&J Enterprise Retention Schedule*.
- 4.4. Any electronic messages, including both Records and Information, and Convenience Information, that are subject to an active Legal Hold, shall be preserved and retained as required and instructed by the Law Department until the Law Department issues a formal release of that Hold.



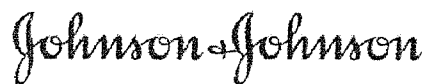
WWRIM Standard RIMS-18
Version 5.0
31 December 2016
Effective – 01 April 2017

Worldwide Records and Information Management Electronic Messaging Standard

Revision History

Version 5.0	31 December 2016	<ul style="list-style-type: none"> Definitions [3] Clarified electronic messages definition. Updated to include email and instant messages. Removed paragraph [4.1 former third bullet]. AU-5 is covered by IAPPS in paragraph [4.1, second bullet]. Removed paragraph [former 4.2]. Addressed in RIMS-2, Convenience Information Standard. Removed paragraph [former 4.4.1]. Removed paragraph [former 4.5]. Paragraph [former 4.6] Changed "Johnson & Johnson Law Department" to "Law Department." Removed paragraph [former 4.7]. Addressed in paragraphs [4.3 & 4.4]. Removed paragraph [former 4.8]. Addressed in paragraphs [4.3 & 4.4]. Removed paragraph [former 4.9]. Addressed in paragraph [4.1, second bullet]. Removed paragraph [former 4.10]. Addressed in RIMS-17, Backup Retention Standard.
Version 4.0	31 December 2014	<ul style="list-style-type: none"> Changed throughout - "Operating Company Retention Schedule" to "J&J Enterprise Retention Schedule." Changed throughout - "retention period" to "retention requirement." Paragraph [4.8] - Changed verbiage - "destroyed" to "disposed."
Version 3.0	31 December 2013	<ul style="list-style-type: none"> Changed throughout "Document Hold" to "Legal Hold". Paragraph [4.1] Replaced "I/T Enterprise Instant Messaging Usage Policy" with "AU-5 Electronic Mail and Instant Messaging Acceptable Use Policy." Paragraph [4.4.1] Direction on – The copying of electronic messaging objects from Johnson & Johnson messaging systems is prohibited. Paragraph [4.5] Clarified wording. Minor change Paragraph [4.9] Added - the new IAPP

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WWRIM Standard RIMS-18
Version 5.0
31 December 2016
Effective – 01 April 2017

**Worldwide Records and Information Management
Electronic Messaging Standard**

		Policy number.
Version 2.0	31 January 2011	No changes to this standard
New Standard Version 1.0	30 October 2009	New Document Issued

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WWRIM Policy
Version 1.0
31 July 2009

Worldwide Records and Information Management Policy

Policy Records and information shall be created, valued, protected, managed, and disposed in accordance with applicable laws, regulations and the requirements of this policy and other applicable Johnson & Johnson policies and standards.

Scope

This policy specifies requirements for the management, retention, and disposition of records and information in all formats and every medium including electronic information.

Purpose

Johnson & Johnson recognizes that records and information are valuable resources and important business assets. This policy, along with associated RIM standards, defines the requirements for managing the records and information assets of Johnson & Johnson in accordance with regulatory, legal, and business requirements. This policy and associated RIM standards assure the appropriate creation and management of authentic, reliable, and useable records and information capable of supporting business functions and activities for as long as they are required.

Responsibilities

Worldwide Records and Information Management (WWRIM) is responsible for the overall governance and strategic direction for the Records and Information Management (RIM) Programs of the Johnson & Johnson Family of Companies.

The Johnson & Johnson Operating Companies are responsible for the implementation and ongoing maintenance of a RIM program in compliance with this policy and associated RIM standards to manage their records and information.

Definitions

Records and information: Any form of recorded information created, maintained or received by Johnson & Johnson in the conduct of its business operations and activities for use at a later time. Records and information include, but are not limited to, documents concerning the Johnson & Johnson organization, business functions, policies, decisions, procedures, operations, and internal or external transactions that are created and retained for business or legal reasons. The form of records and information includes, but is not limited to, paper, electronic, microfilm, microfiche, photograph, map, magnetic or optical disk or tape, software, video, or other recorded information.

Disposition: A final administrative action taken with regard to records, including destruction, transfer to another entity, or permanent preservation.

Standard: A governance document that specifies the mandatory requirements of a program activity.

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Document Hold: A communication issued as a result of current or reasonably anticipated litigation, audit, government investigation or other such matter that suspends the normal disposition or processing of records.

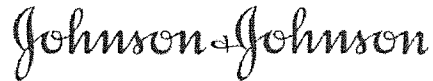
Records Retention Schedule: A comprehensive list of records series, indicating for each series the length of time it is to be maintained.

Compliance

All Johnson & Johnson Operating Companies and their employees shall comply with this policy and associated RIM standards.

Provisions

1. The records and information management requirements, as defined by this policy and associated standards, are to be applied consistently and regularly.
2. Records and information created or received in the course of conducting business shall be accurate and complete.
3. Records and information shall be created, stored and managed using proper protection and allowing for future access.
 - 3.1. Records and information shall be protected, and access to them controlled according to their value as described in the Information Asset Protection Policies (IAPPs) and other applicable Johnson & Johnson policies.
 - 3.2. Protection of and access to such records shall comply with the requirements in the IAPPs and other security standards prescribed by Worldwide Information Security.
 - 3.3. Records and information shall be classified throughout their lifecycle in a manner that allows future authorized access and use.
4. Records and information shall be retained in accordance with the Operating Company's Records Retention Schedule including the time that covers a Document Hold. When a record or information completes its retention period, it shall be disposed in accordance with this policy and associated standards and in compliance with Operating Company procedures.
5. Disposition of records and information may include, but is not limited to, destruction or deletion, transferring to appropriate inactive records storage, and continuing retention as an active record. Disposition of records and information shall be conducted in a systematic and routine basis during the course of normal business activity subject to the following requirements:
 - 5.1. Records and information relevant to litigation or an investigation and subject to a Document Hold as issued by the Johnson & Johnson Law Department shall be

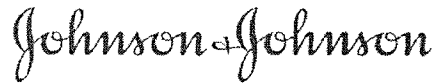


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Worldwide Records and Information Management Policy

retained and preserved until further notice from the Law Department, regardless of the retention period set forth in the Records Retention Schedule;

- 5.2. Inactive records and information may be transferred to the Operating Company's designated inactive records storage site for long-term storage to fulfill retention requirements;
 - 5.2.1. Records and information transferred to the Operating Company's designated inactive records storage site shall be managed with appropriate procedures to ensure availability for future business, litigation, and investigation purposes, as necessary.
 - 5.2.2. Records and information subject to a Document Hold that are no longer required for business purposes may be transferred to an appropriate inactive storage site for preservation in coordination with the Johnson & Johnson Law Department and in compliance with paragraph 5.2.1 of this policy.
6. Operating Company records and information that are considered "vital" (i.e. fundamental to the functioning of an organization and necessary to continue operations without delay under abnormal conditions) shall be identified and protected in accordance with this policy and associated RIM standards.
 - 6.1. The identification of "vital" records and the method designated to protect these records shall be included in the Operating Company's risk analysis for business continuity purposes, to ensure they are recoverable when needed.
7. Operating Company records and information in the possession of a departing employee, vendor, external business partner, and outside consultant or contractor, shall be managed as follows:
 - 7.1. When an employee leaves Johnson & Johnson or transfers to another Operating Company or department, he or she shall transition their records and information to their supervisor or manager. In the event the employee does not perform this task prior to their departure, the supervisor or manager is responsible for ensuring the departing employee's records and information are managed in accordance with this policy and associated standards;
 - 7.2. Records and information in the possession of a vendor, external business partner, outside consultant or contractor upon termination of contract shall be transferred to the owning Operating Company and managed in accordance with this policy and associated RIM standards.
8. The Operating Company's records manager, or designee, shall conduct audits within their Operating Company for compliance with this policy and associated RIM standards.



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Version 1.0
31 July 2009

Worldwide Records and Information Management Policy

9. The requirements of this policy and associated RIM standards shall be communicated to, and incorporated into training for, Operating Company employees, vendors, external business partners, and outside consultants or contractors.
10. Where appropriate, requirements of this policy and associated RIM standards shall be incorporated into contracts with those vendors, external business partners, and outside consultants or contractors requiring access to Johnson & Johnson records and information during the course of the contract. If contract changes create a need for such access and the contract lacks the proper RIM requirements, they shall be added.
11. Disaster recovery backup tapes shall be created solely for the purpose of accessing and recovering data in the event of a disaster.

About the Policy

This policy is designated maintained by WWRIM in compliance with its change management procedures. The most current version of this policy, along with associated standards, is available on the WWRIM website.

Approved by

Richard Guida
Vice President, Worldwide Information Security

Review and Approval

<i>Title</i>	<i>Name</i>	<i>Signature</i>
Vice President, Worldwide Information Security Information Technology Services	Richard Guida	RICHARD GUIDA <small>Digitally signed by RICHARD GUIDA DN: c=US, o=JNJ, ou=Employees, ou=171709, cn=RICHARD GUIDA, email=RGuida@ITS.JNJ.COM Reason: I am approving this document Date: 2009.07.31 14:10:11 -04'00'</small>

Revision History

WWRIM Policy v1.0	31 July 2009	• New Document Issued
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Johnson & Johnson Confidential
Use Pursuant to Company Instructions

Consumer-Complaints-Debwarner.txt

Name: Deb Warner
Title: Global Complaints Vigilance
Date: 5/21/2018



Deb Warner - 5 years in current role
23 years - before that Ortho Clinical Diagnostics

complaint, vigilance across consumer sector
organization, process, and PQMS system

part of Global Complaints Vigilance, part of Business Quality
reports to Bobette Williams

document the evaluation and investigation of complaint

complaint = allegation by a consumer regarding quality, safety or efficacy of
product

captured by call center, feed the complaint
CRS = consumer response system
one in each worldwide region - 4 instances
moving to new platform - Salesforce, everywhere but North America
North America will be in July

originally CRS was used for complaints as well

complaint was formerly divided between different organizations
now harmonized

in past--
Melinda Cetina - external mfg quality
responsible for complaint investigation

complaint used to come into call center
would be sent to particular business unit
now subject to triage process that Deb developed
centralized mgt of complaints so that they could be prioritized

Robin Lindevaum - globally tech lead for consumer
ask re: CRS and Salesforce

Judy Dowling is tech contact for PQMS
also have business partners who manage like Tom Doyle

don't think data migrated from CRS to PQMS

PQMS is a validated system - do integrity checks and audits
audit log

nothing deleted, even voided records are retained

how to retrieve data? can have UPC code or specific or generic product names

PQMS is used by quality organization = PQC product quality complaint
could have code for ME medical event
for adverse events, SCEPTRE is used

call center applies codes that direct complaint to appropriate system
AE might still feed PQMS even though it may not trigger an investigation

Page 1



Consumer-Complaints-DebWarner

Consumer-Complaints-Debwarner.txt
SCEPTRE/safety contact - Nilay Gami

call manages different channels - email, social media, calls, web page, postal, etc.

global procedural document (ww, and more descriptive documents)
maintained at consumer level in TRU

her organization is responsible for updating

Deb is only global person, has regional leaders

no loss of data or corruption

Consumer-Complaints-TomDoyle_JudyDowling.txt

Names: Tom Doyle, Judy Dowling

Title: Mgr of Quality Applications, Complaint Vigilance

Date: 5/23/2018

front end system for complaints was CRS, now salesforce everywhere but North America
were 4 different instances of CRS, started deploying SafesForce 2 years ago
in Latin America, EMEA, APAC, will do North America
for each instance, migrated two years of data for product quality complaints,
adverse events into PQMS
case originates in call center regardless, even if pushed from PQMS to SCEPTRE for
AES
everything else, archived as per StageGate program - Robin has specifics

front end holds:
inquiries
preferences
product quality complaints
adverse events

feed data to one safety system

used to feed talc safety to RSS component of PQMS

Jan 2010 transitioned from CRS for everything to just CRS as front end and PQMS for
consumer complaints
a certain number of years migrated - have complaints going back to 2006

Robin Lindenbaum - can confirm how many years were migrated

Remetrex is PQMS vendor - was used in pharma for past 20 years
consumer instance started with McNeil in 2000

started using SCEPTRE for talc in Nov 2017
prior to that it was Remetrex RSS

complaints and safety are validated systems with regulatory reqts

check on CRS front end and Salesforce with Robin

Nilay Gami - consult him regarding safety issues
on business and process side

SOPS - many validation documents for PQMS
global documents for complaints

have diagram depicting consumer vigilance documents

stored by product
master product and then SKUs

CRS stores "product master data" includes UPC
many captured as "J&J Baby Powder unspecified" - there is a generic code
some came from law department - also thru call center

same for shower to shower

nothing ever manually entered into PQMS

"investigation" originates in PQMS

if an ETQ investigation had ever been opened, would have ID number referenced in
PQMS

triage group in every region - could be forwarded to mfg site for investigation

Consumer-Complaints-TomDoyle_JudyDowling.txt
two products in use would two separate PQMS entries
consumer may supply lot number and triage would validate against the product
consumer given call center number - a unique ID, flows to PQMS and SCEPTRE
salesforce - just a sequential number
CRS - Alpha + number
PQMS people have responsibility for monthly and quarterly trending
for both pure product quality complaints and those with A/E associated
PQMS has its own group
Everest is trending tool - vendor TIBCO SpotFire
validated monthly report is output from Everest, signed, stored on SharePoint
safety must trend all adverse

use SAP for verification of lot numbers
use spec system to review specs
GSS, now TRU
also where documentation is stored
no loss or corruption that they are aware of

Consumer-IT-KateGillespie.txt

Name: Kate Gillespie
Title: Sr Director PLM Process and Platform Mgt
Date: 4/25/2018

in Consumer/North America for two years (in Skillman)
2012 - 2014
Dassault is vendor, bought Matrix One
Anovia is platform
GSS platform

also Dassault/Anovia
TRU (J&J name) replaced GSS

some stuff in GSS was archived - ask Lisa Kaiser how to get to these docs

TruVault (J&J name) - SAS service "Quality Docs" from Veeva
check on documents that went - Lisa Kaiser or Garrett Sayers

then enterprise for 5 years
quality

inherited global consumer platforms and responsible for them, like GSS
ETQ module - change quality, etc.; includes CAPAS and event documentation process
(event = nonconformance) - ask Lisa Kaiser on use of system
part of PLM - product life cycle mgt

Kate is now in Pharma/Horsham

back when she was in Consumer
was retention schedule

Theresa Goricki VP Consumer (no longer at J&J), Carol Montandmon replaced Theresa
at North America level

each dept had responsibility to manage and doc coordinator

had annual cleanout days - check on when suspended

SOPs for records mgt, document mgt

former users subject to manager review of materials

litigation hold? SOPs were maintained in doc mgt as usual

no problems with record keeping that she knows

Consumer-IT-StephenVargo.txt

Name: Stephen Vargo
Title: IT Service Management
Date: 5/16/2018

Ft Washington

app owner for ETQ Reliance product (internally "Symphony" for consumer)
from 2009- version 5 to 7 to 11

prior to that ETQ FWE (Flexible Workflow Engine)
perhaps around 2003-2009

nothing migrated from FWE

archived a couple years ago based on CRIM group
Redgrave did an analysis
Informatica

used globally by all of consumer

about 8,000 at one time, now 5,500 users and 96 site
each have an account on ETQ

need training and supervisor approval

could be either inquiry or edit, per module

investigation (former NC module)
change control
CAPA module
audit module

fielded + document attachments
full audit trail and system of record
can't delete anything

no way to track specific products

no need to modify usage re legal hold

business person -
Madeline Vargas - no longer at J&J
Liz Vincent

IT person before Steve
mgr - Michael Weiderspiel
Jessica Frage worked for Michael and Steve

server lives in Raritan

SOPs for every module
recently migrated to TRU

could search in tool or run Cognos reports
validation reports, metrics reports

everything starts as an investigation - a "quality event" that
needs to be captured

then assessing if a non-conformance - does it align with SOP?

Consumer-IT-StephenVargo.txt
then a decision is made -- does it become a CAPA
no corruption or loss of data
at end of 2014 or 2015, had an issue with attachments
randomly can't always get access to an attachment
been resolved
attachment checker verification process
no data loss but a broken link issue
may be a CAPA

Consumer-Marketing-KatieMartinDecker.txt

Name: Katie Martin Decker
Title: Sr Director, Global Oral Care
Date: 5/31/2018

2011 - specifically on shower to shower
took over portfolio
part of group in 2002

started in 2001

Shower to Shower

in 2004-2005 re-launched in different formulations, (e.g., sparkly, sport),
and delivery methods - spray, wipes, etc., new flavors
about 6-7 versions at time of divestiture

identified file shares, "data room" for the Valiant acquisition
still have internal data site used to sync with external deal site
have communications with consumers back to 2000

includes--

MSDS - material safety data sheet (provided to retailers)
communications to consumers, retailers, product launches

copy approval was a manual process, with storyboards, inkspad stamps, administrator,
and physical file folders

copy approval and marketing was in North building

Robin Sitver - does a lot of divestiture transactions, worked on shower to shower

Robin would formulate divestiture plan, Katie would "pitch"

tried to query BRAVO and SAP systems through finance - Linda Phelps
BRAVO is official system for financial reporting
would have roll-ups, consolidations

overall responsibility for marketing, sales, product innovation, divestiture

Sharepoint took over much of the foldering and filing about 7 years ago
more sophisticated filing in the foldering system than the Sharepoints

what about when people leave?
before Sharepoint, people would create a file system folder and put all their
information there

now - consolidated Sharepoint sites and improved file systems
things are saved centrally now to begin with

no loss of data or corruption

data room included about 15 people's materials, including each business functions
like quality, supply chain, mfg
team list in data room
might include testing

Consumer-Procurement-ElizaMorais.txt

Name: Eliza Morais
Title: Senior Category Buyer (Brazil)
Date: 5/14/2018

responsible for negotiating with talc suppliers for Latin America
Category Buyer
J&J Consumer Latin America
Paula Campos - sr mgr for strategic sourcing for chemicals

8 months at J&J

old buyer - Sara Albuquerque
on maternity leave, with different division

deal with mfr in Brazil and Columbia

deal suppliers extract from ground
mine in north Brazil - IMI
also Imerys from US supplies Columbia

IMI sends to Sterevenicx
then to J&J

lots of conference calls and face to face meetings
email to confirm

everything goes in SAP, POS come from SAP

not really any paper - knows of nothing from Sara either

had training in basic computer usage

may keep emails for 5 years or so unless a legal hold

not familiar with legal holds that affect operation of SAP

knows of no other data loss

Consumer-Quality-DavidAllen.txt

Name: David Allen
Title: Director of Quality
Date: 5/30/2018 and 6/8/2018

started in 2011 to 2014 was in external mfg team

managed quality engineers across external mfg sites
not raw materials

Skillman, last year in Quality Systems, Director of Quality

quality person signs off on all procedures
Don Hicks prior to him

Joann Dodd pulls together records retention procedures
David is "quality signature"

ETQ Symphony = investigations (NC/NCR), CAPA, change controls
could have an investigation without a NC, however, if spec not related

would typically do word searches

while you might document changes to procedures, etc., WIs/SOPs
changes controls are specific to a product spec
includes approvals and deliverables needed to change spec

talc spec itself would have revision history in it

specs themselves actually housed in TRU - was GSS

SOP about change process itself is consumer global WWSP-000277

did not deal with PTI, Mark Zappa did
quality engineer who worked with PTI Susan Moy (now retired, but in Skillman)

no loss or corruption in these system
had an upgrade issue with Chinese characters, which was fixed

Kate Gillespie actually managed the systems

Consumer-Quality-DonaldHicks.txt

Donald Hicks

Title: External Manufacturer and Business Quality

Date: 5/17/2018

42 years with J&J

1974 with medical device startup

in 1990 found a position in Consumer

head of quality re: band aid plant in North Brunswick

brought in liquid baby products, which had been mfr'd in Puerto Rico

not baby powder

had quality meetings with other plant heads, including Royston, GA plant head

at that time was sole mfg site for Shower to Shower and baby/talc products

communications and visits with other sites

2001 - moved to external mfg quality

now involved with non-J&J plants

2004 - Royston sold to PTI (Pharma Tech Inc)

responsibility began to transfer

by 2008, he was fully responsible for Royston site and talc

2010-2011 transferred to business quality (brand responsibility)

baby business in total, reporting to quality group

linked to marketing team, executive team

responsibility from birth of product until it was discontinued

engaged by operations/Q&A if any issues, including talc

-reviewed alternate sources

-FDA reports on talc testing

-international questions

global head of baby business from quality perspective

March 2017 - retired

mfr'ing, testing records were based in paper and still are

FDA regulates certain aspects of cosmetics, therefore specific
recordkeeping requirements

both a records retention policy that was published by J&J Consumer records center
also had SOP that defined what should be kept and how long

schedule tied to regulatory compliance - longest time between
that and internal schedule

boxes sent offsite with labels, etc.

Royston would conduct its own audits when part of J&J

his team would audit after the sale

including records mgt

long term retention --> R&D lab notebooks, change control records re: formulas,
technical documentation

Consumer-Quality-DonaldHicks.txt

these were all maintained by the records center
personally examined change control records after being pulled by the records center
test, mfr'ing, inventory, shipping records tend to be kept for a shorter period per
schedule - timed to when product would be in marketplace
generally about 6 years
receipts of raw materials were typically shorter
responsibility of maintaining records resides with site doing the work
comes from various mines, ground at Imerys - tested there before and that
same ore lot may be repeatedly test because forms basis for multiple mill lots
loaded into railcar, shipped with Certificate of Analysis to Royston
samples taken by Royston team
create raw material receipt record and test record
Royston would pack up its records and send to Iron Mountain
after PTI acquisition, PTI tracked with its own systems
80% of Royston people transferred over
quality agreement with external mfr's like PTI
details records keeping reqts, reporting reqts
continue to conduct audits of that facility with J&J Consumer Quality Team
also help managed day-to-day issues
audits are placed into an audit system - need to check, maybe Trackwise
NC are placed into a system, now ETQ
audit has been electronic at least 10 years
mfr, test methods, finished product spec are all controlled documents
in electronic systems many years
David Allen, quality group - would be "historian" of electronic systems
recently changed doc control systems
validated systems under regulatory framework-(collaboration with J&J QA,
Infomgt, external resources)
ETQ
Trackwise
LIMS
document control (for specs, procedures, forms, label quality) "Matrix"
R&D system to manage formulas, packaging, clinical, labeling, etc. (known as
"approval for product release" system) - fairly new system
prior to that was paper
specifications system includes labeling
advertising has change control process
"Label Control system"
no sample tracking per se
Tricia Bonner - ask her about clinical trials contact
was R&D head for baby products, now in new role

Consumer-Quality-DonaldHicks.txt

also Lorena

Shower to Shower

not part of baby group but ownership went between skincare and baby
external mfg and GA

ETQ searchable by products (word search) and mfg location

every product has a formula number , e.g., "MorningFresh formula 123"

North American baby powder would be a single formula number

quality policy - broadbased, comprehensive document that includes
responsibilities and regulatory reqts - see David Allen
"capstone" of quality-related SOPs

each world region within consumer would have associated team
would meet a couple of times per year

might socialize, for example, a new testing procedure via a proposal
mostly captured by email, though substantive changes would go into spec

global talc spec created in 2009 - uniform highest std chosen
included test methods

historical -- would need to look at specs system for each region

from time to time, test methods or other talc spec parameters would be incorporated
into spec - for example, China may require testing for a new trace element

when Don left, his relevant materials were transferred to Mark Zappa, including
testing records, historical information, etc.

no collaborative systems used - not SharePoint, not eRooms
except Sharepoint as publishing platform

no data loss that he is aware of
one lost document that's not been found

look at global spec for talc - controlled, approved, dated

FOLLOW-UP 6/4/2018:

Xerox may have been a legacy doc mgt system

Baby had a specification dept

talc samples and baby product samples

J&J only saw powdered talc at Royston (ground/milled)

raw talc is sampled coming in as milled associated with lot number
put in bottle, testing out of bottle for microbiological and appearance

testing for heavy metal, bulk density, particle, asbestos already done by supplier
J&J will inspect those testing records, typically 2-3 months of inventory
test records are sent electronically or by mail
identified by "milled lot," e.g., from IMRYS, also railcar designation
all associated with an "ore lot"

then samples are linked back to mfg lot number
begin, middle, end of shift, off each shift

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Consumer-Quality-DonaldHicks.txt
microbiological, appearance, and fragrance

samples and test records retained per schedule
-samples and test records by mfrs
-test records by quality group

all of these records would be maintained at mfg site
e.g., Royston and then shipped to Iron Mountain

Vicky Barkis - might be able to speak to mfg records movement to Iron Mountain

from Don - what are "Matrix" for doc control - also spec system
specs, label control, SOPs, supplier agreements, change control
and is that different from "Label Control System"?

1. Label control review process - Cocoon
2. Once approved, transferred to Documentum/spec system

Xerox doc mgt system in old days? or was it Documentum

North American talc - Chinese would mine and test, then release ore to Imerys
not sure if those test records went to Imerys
Imerys has "ore pile" and would sample various points from ore lot
would mill and composite, generating one milled sample
then did spec testing, including looking for asbestos, heavy metals, calcium, etc.

milled material sent out for testing, results back to Imerys/Houston
Imerys/Houston would send Cert of Analysis (e.g., test results) with railcar
shipment
records lived both at Imerys/Houston and PTI/Royston

IN ADDITION

RJ Lee testing started qtrly global testing in 2009 (also tested in earlier times)
Don requested 500 Gram samples from every mfg site
then he sent to RJ Lee, did not retain anything

if Imerys got a bad result in testing, would not have shipped
never got one

lost some railcars from Houston because of train wreck or seals broken
but never got a bad spec

IF they had, would have at least been entered as investigation/NC

raw materials samples (retains) - kept 5-6 years by PTI/Royston
e.g., double shelf life
palletized and put in boxes

Vicky Barkis could speak to PTI's records tracking systems

test data would be kept per retention policy, e.g., 5 years + 1

FOLLOW UP 6/11/2018

this was the document he couldn't find:
"original approval for product release documentation for original
qualification of China mine"
Don indicates has been found elsewhere

Consumer-Quality-LisaKaiser.txt

Name: Lisa Kaiser
Title: Sr Director for Global Quality Systems
Date: 5/9/2018

Consumer

oversee all quality systems for consumer segment
owns doc control, change control, investigations/CAPA

not records retention - that's Joanne Dodd

3 years

prior to that Ethicon - dir of quality systems, 4 years

quality is broken down into:

- quality control - "make" quality - 33 sites under consumer
includes quality engineers, lab controls, testing
finished product release

- mfr's quality assurance - "source" quality - e.g., Mark Zappa, suppliers and ext

quality systems part of ISO 1345 and bonds together both make and source quality

rolled out TRU system in January

moved released documents from GSS to TRU
anything obsolete or superseded still in GSS - currently archiving
going into ILM archiving application at some point

retention schedules in GSS and TRU - confirm with Joanne

doc specifications in GSS and TRU

changes reside in CAPRI - John Gilbert is the contact
approvals for product release, clinical trials, like a design history file

CAPRI is consumer-specific managed by R&D

Sean Park was in business quality group - North America rep
now at Ethicon
could speak to history of various JJCI companies and related systems

J&J Consumer does NOT use TrueVault

TrueVault only stores **enterprise** stds and SOPs
would have older versions of enterprise stds - migrated from docspace or archived
cloud-based

ETQ - investigations and CAPA
point of contact = Steve Vargo - Ft Washington

complaints - PQMS system, had precursor in North America
point of contract = Deb Warner - Skillman

manage Compliancewire for training

Consumer has own instance
includes manufacturing processes, CAPAs and other consumer-specific processes

Page 1

Consumer-Quality-LisaKaiser.txt
contact = Leslie Williams-Dunn on IT
RIM/IAPP training deployed by SUMMIT and before that, eUniversity
at enterprise level
cloud-based, rolled out 2 years ago
includes asset protection
includes what employees took and when
contact = Deb Berrien
programs administered by HR
also ask Emily Chu - re consumer level IT issues
no data losses

Consumer-Quality-MarkZappa.txt

Name: Mark Zappa
Title: Director of supplier quality, North America
Date: 5/7/2018

part of "source quality"
have counterparts in EMEA, Latin America, APAC
EMEA - Segolene Tribouillard
APAC - Pankaj Verma
Latin America - Barbara Liesenberg

supports raw materials and packaging for products made in North America

Source Quality is a global group
manages sourcing from quality perspective
materials, packaging, finished goods

standardized set of global procedures
selection, qualification, monitoring, disengagement
from suppliers
-direct material (raw materials and packaging components)
-suppliers of finished goods

talc suppliers
mine
milling site
pharma tech industries (external mfr "EM"), Royston GA
adds fragrance and puts talc in bottles
Royston originally was a J&J plant

Source Quality as a group created in ~2014

Quality Systems is a different function here that manages processes
e.g., procedure for "how to select a supplier"

Source Quality follows Global SOPs

currently SOPs stored in TRU, went live mid-January
2010-2018 used GSS - global spec system
at least current version was migrated

training curriculum for his area

100-150 procedures part of training, global, local, enterprise, GMP

have records coordinator as defined in SOP
Chad Struthers? may be coordinator - heads compliance group

would need to quality supplier
would audit supplier's quality systems

PTI, Imerys - grinding/milling (Houston)

mining, grinding, mfg - all produce records
testing at all levels

certificate of analysis
would include tests for asbestos

EM and mine use independent labs - managed by the facilities themselves
EM/Imerys would received Cert of Analysis with each shipment

Consumer-Quality-MarkZappa.txt
J&J also does quarterly testing- Quarterly Mine Health assessment
RJ Lee in Pittsburgh is used
audits of China mine, for example, would be an EMEA person
Hong Zhou Wang would be audit person in EMEA (China)
mine is called Guilin Guiguang Talc Development Co Ltd
Guilin, China
Mark is responsible for Imerys
in this role since 2014
worked for Don Hicks 8 years
started with talc around 2006
technical function that measures talc specification
this is an R&D function called "Raw Materials Center"
global function but leadership is in Skillman
leader for North America - Dina Reese, global lead is Len Bardfeld
spec for packaging would be in TRU
if problem with testing, would open a Non-conformance (NC or NCR)
none known for talc for North America
quality agreement with suppliers includes records retention clause
J&J would audit suppliers against applicable std (e.g., ISO 9000)
might audit a supplier only once or more
NCs may not relate just to product
trend of NCs could lead to CAPA
deviation - justification for not meeting spec, for example
very rare
NCs and CAPAs kept in eTQ
various instances
electronic stuff is mostly accessible to 2008-2009
quality agreements are hand-signed and then scanned into GSS/TRU
quarterly mine results also scanned into SharePoint
dedicated talc Sharepoint site, includes testing
Don kept records in physical binder until he left and then
it was migrated to SharePoint until around 2014
no additional steps needed to conform to legal hold - already hold everything
qtrly mine assessment might routinely come through email
approved supplier test managed in TRACKWISE (since 2014, then ETQ before)
basic information, audit reports
managed by GLOBAL PERFORMANCE EXCELLENCE GROUP
also used outside of consumer - also pharma
quality agreements historically kept in TRU
switching to new system ICD - may be enterprise system
also Global Performance Excellence team
Christof Benzinger

Consumer-Quality-MarkZappa.txt
Documentum retired before 2008

ETQ managed by Global Quality Systems group
Legacy ETQ audit module still accessible, records not migrated
no data loss that he knows of

FOLLOW-UP 6/11/2018

mine
mine does its own testing (external lab), creates C of A
batch/lot records (for talc ore)

mine to Imerys
mine's C of A, filed by Imersys, associated with lot "receiver" number
Imerys's does own incoming testing (its own and external labs)
creates C of A for powder
C of A includes incoming ore and powder testing

Imerys to PTI
Imersys sends both its own C of A and the mine's C of A
PTI does its own incoming testing (mostly appearance testing, odor,
fineness)
finished good samples retained per supplier agreement

J&J qtrly audit (oversight testing, not associated with a lot release)
collects samples from PTI'S ground talc in inventory and submit to RJ Lee
Mark gets C of A from Imerys along with Qtrly Mine Health

Victoria (Vicky) Lichtiger for records received by J&J from PTI

Consumer-Quality-NicholasZhu.txt

Name: Nicholas Zhu
Title: Supplier Quality Management
Date: 5/30/2018

China

quality team
responsible for supply for OTC and talc

sr mgr for supply quality mgt

coordinator for quality and compliance

5 years at J&J and in role

worked with Mark Zappa

talc raw materials *global* spec stored in TRU system
version 0 to version 7
version 0 - Oct 2009

mfg batch records (paper) stored on its facility;
kept by Philippines supplier

responsible for APAC: Thailand, China, Philippines, etc.

mining: China and India (processed in India and Philippines)

qtrly testing - 3rd party RJ Lee

sites in India, China, Thailand sends talc samples to RJ Lee

test results stored in Sharepoint and shared with mfg sites via email

global Sharepoint site with folder dedicated to APAC source quality team
may have test results back to 2012

don't believe have anything prior - started this practice

talc spec includes SOPs and WIs

not aware of any loss or corruption

Consumer-Quality-Pankajverma.txt

Name: Pankaj Verma

Title: Director, APAC External Manufacturing Quality

Date: 5/21/2018

look at supplier quality for APAC

moved into external mfg quality

7 years at J&J, 4 years at J&J India/Mumbai

raw and packaging material suppliers - talc part of his portfolio

audit of talc mfg site; ensuring that talc supplier follows
specs, testing, overall global specs

lifecycle mgt re: issues, audits, monitoring metrics

two suppliers - Golcha / Ubaipur Minerals in India

China - Guilim

responsible for mgt and mining

for last 10 years

some people in tech org might be able to talk about earlier times

audit reports stored in Trackwise, a validated system
prior to that ETQ/Symphony, including Corrective Actions
2014

global systems

information might be in email, e.g., test reports, communications

possibly paper repositories in Thailand and India for OUS products

GSS - global specifications systems
recently migrated to TRU
everything was migrated

also SOPs/WIs

a number of regional and local procedures now in TRU

including procedures on how to manage test process

expect a defined period of retention for suppliers =
typically shelf life + 1 years

RMQ = raw materials questionnaire
information that suppliers submit
global system

Optiva = information related to R&D team
global

SharePoint = used for qualification reports

paper files kept at site to his knowledge

Consumer-Quality-PankajVerma.txt
two months ago, got information about suppliers regarding litigation
Nicholas Zhou managed these requests and worked with Mark Zappa
Trixie Campbell in Philippines also worked with team

no knowledge of loss or corruption

Dr Gay Pratash Vidwans
Ram Shukla

Consumer-Quality-SeanPark.txt

Name: Sean Park
Title: Sr Director, Quality Assurance
Date: 5/18/2018

based in Skillman

May 2009 - Oct 2017

worked with PTI

reported to Bobette Williams, WW VP Bus Quality for Consumer
before that Leslie Traver, same title

business quality tied to commercial partners
bring all aspects of quality

product specifications - GSS - global spec system
finished, raw, mfg instructions, packaged goods all stored

recently retired - Jan 2018

document mgt system where versions could be approved
also had change control document - documented deliverables to justify

change control system was called ETQ
also used for NC and CAPA mgt

ETQ change control number <--> document specification in GSS

change control may reference many product specs

talk to Don Hicks for things earlier than GSS

also have R&D system - development reports, raw material characterization studies,
stability reports re: shelf life
called CONNECT

ask Mona Nair about CONNECT, she is NA VP of R&D

100 SOPs that applies to job also kept in GSS, now TRU

also speak to Mark Zappa

peers in other countries
all use the same global systems

no loss or corruption

Consumer-R&D-LorenaTelofski.txt

Name: Lorena Telofski

Title: R&D planning, CMPP (certified medical publication professional)

Date: 4/24/2018

started in 1979

was called Johnson & Johnson Baby Products Company

then became consumer companies

currently Johnson & Johnson Consumer Inc.

mine was at Windsor Minerals, VT - milled and ground to particular fine-ness,
processed thru

"beneficiation"

ask John Hopkins

may have some test records originally stored at site; site later sold by J&J

put into designated silo and then railcar, and later mfg plant silo

work processes and SOPs that govern, including GMP

purchasing dept or central purchasing was buying raw material

job was to get the talc from the mine to the plant in Georgia

also to get talc from mine to Komar Laboratories, Port Jervis, NY

powder was being originally made at North Brunswick, NJ, before Georgia

product was made in Georgia, but Komar was in use to keep another mfr up and running
perhaps 5-10%

Lorena scheduled and coordinated logistics that a PO made it from mfg to a plant
time frames, etc. - was "expediter"

tracking by number of pounds; special railcar tankers dedicated to talc

tankers cleaned by tank company with J&J specs

would lease the number of tankers needed for the time and qty needed

POs, specs, test methods, quality SOPs

testing both for what's in it, what's not in it, purity, etc.

ask Mark / Don re: how often

certificate of conformance and basic testing on inbound talc

then she became "finished goods planner" for baby powder production for Royston, GA,
plant

all buildings in North Brunswick have been sold and taken down

finished goods planner - taking monthly forecasts of sales and work with production
site

and determining outputs from production, raw material sourcing

developing actual production volumes for a certain size by week

including special promotions, etc.

translated into plant resourcing

would then get reports back about what plant made

think of a) plant documents b) master documents

Consumer-R&D-LorenaTelofski.txt
all run by purchasing, which was part of operations
1981 moved from Centennial Ave in Piscataway to Skillman
mainframe computer populated the forecasts
finished product goes to warehouse in mfg plant and then to distribution centers
then to wholesalers
then went to contract mfg, which was under purchasing
became contract mfg buyer
managed that department eventually
one of her buyers bought what was made at Komar
then quality assurance under R&D
created an online specification system for mfg
moved from Wang to WordPerfect
baby powder is a cosmetic product, regulated by the FDA
certified quality engineer and other training programs were stds, GMP, etc.
also looked to other industry stds and customs
then did project planning for R&D
consumer complaints were categorized and distributed by Quality as "Consumer
Complaints"
might have had to do with opening cap, etc.
CAPAs and non-conformances - talk to Quality (Don Hicks, dir of quality, is
retired); Mark Zappa
(Mark for specs)

around 1994 - ran R&D/baby products lab in Skillman
had responsibility for powder
but formula hadn't changed in very long time
each scientist had physical bound notebook
notebooks had a number stamped on the cover
who issues? get a name in records retention in Skillman - consumer
APR - authorization for product release (formerly called FACT BOOK)
signed off on and goes into records storage
old APRs are in Iron Mountain
includes formula, safety, etc.
R&D *might* be involved in brainstorming new ideas
labs organized by franchise and technology (e.g., liquids)
Cocoon is copy development system
any public facing language
team reviews for final approval
product claims center of excellence to brainstorm new ideas
a variety of stds that govern claims
need signoffs from regulatory, legal
"formulation" system

Consumer-R&D-LorenaTelofski.txt
Cocoon has routing and signoffs, can view historical versions
up to a point
check with museum

Consumer-Records-DarrenHarris.txt

Name: Darren Harris
Title: Records Operations Supervisor (contract)
Date: 6/1/2018

10 years in September

High Density Moving File System at Skillman

lab notebooks, APR (authorization for product release), temporary staging
for Iron Mountain

SOPs for consumer - US and Puerto Rico
retrieval, transfer, ERMS usage, lab notebooks, microfilming, training
30+ SOPs

training required for employee - re-training yearly
tracked in ComplianceWire

10 years ago, Skillman went under Ft Washington team
had different SOPs for each (TRIM in Skillman, Versatile in Ft Washington)

boxes always associated with a DEPT, e.g., R&D
typically search by product, not name
no field with a product name, would put in narrative
TRIM had a product field - did it migrate? Ask Michelle

Stephen Zollo - IT person who would have known about migration
Brian Mandel - in Ft Washington

archiving requests came through both R&D and sales/logistics (e.g., bills of lading)

legal hold folders for email and desktop
have been there at least 10 years
procedures and training

for retention, typically would print out an email to declare

now can mix records series in a box because ERMS distinguishes between
different "transfer forms" or file level

std box = "archive box" - 15 x 10 x 12

"document" is primary accounting unit
document could be CD, VHS tape
retention for CDs - only good for 5 years
if retention is longer than that for CD, would ask associate to put on hard drive
or thumb drive

Morris Plains had historical room - kept in system in Iron Mountain
in Germantown NY (Listerine bottles, etc.)

categories in records schedule for "historical" and "samples"

Skillman sends to Iron Mountain, scans/microfilms, sends back
would need to know name of scientist and date
available as a PDF in ERMS

Ft Washington uploads lab notebooks into CONNECT instead, but have an entry in ERMS

had issue with some Ft Washington docs at Iron Mountain around 2009, but no
indication of any talc-related documents

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Consumer-Records-DarrenHarris.txt

Joanna Siatkowski - former employee with historical perspective of Skillman (in PA)
(also Hernando)

Consumer-Records-JoannDodd.txt

Name: Joann Dodd
Title: Sr Analyst, Records Mgt
Date: 5/21/2018

J&J Consumer Inc.
Fort Washington

reports to Lisa Cipriani

training

sent training out for 10,000-11,000 people

now WWRIM will do and she will do tracking

she started in records 2007-2008

were just starting to get RIM SOPs/WIs designed 2008

before that used WWRIM procedures

as of consent decree - everything was put on a Work Instruction
2010

as of 2010, 5 SOPs out of consumer, 20+ WIs

now after corporate and pharma integration, have more

the 5 SOPs -

- records for associates
- records for records depts themselves
- litigation support
- records operations (transfers, retrievals, etc.)
- records coordinator (now combined)

need training within 30 days

how to declare an email as a business record? generally, put in a folder

if designate for litigation, would move to hold folders

back in 2008, 56% participation in recurring departmental training, now 98%
but would perform departmental audits

would keep hard drives and copy for litigation (ask Renay)

had WWRIM procedure for departing employees
manager's responsibility to ensure records kept as needed

no distinction in training for in office or "road" employees

training included legal hold, departing associates, retention procedures, roles

eUniversity and later ComplianceWire

also shop floor employees of limited duration received modified PowerPoint
and would send back training records

some shared computers for limited duration temps, possibly in Fort Washington
but would always have own credentials to her knowledge

Consumer-Records-JoannDodd.txt
training format: could WWRIM's or develop your own, they used WWRIM
eUniversity and Compliancewire actually provided and tracked training
Sharepoint/Web site would have detailed instructions
Nancy Heffner - responsible for web site content
training materials are specific to US and Puerto Rico
Renay deals with lit hold stuff
not involved with movement of paper through facility to offsite
central files: batch records would stay with document control until
and keep onsite or send offsite. only central dept can send offsite
Fort Washington has records center with staff that reviews
records and transfer sheet; compares to what is in box
6-7 people, plus 1 in other locations
also manage ERMS
Lancaster, Los Piedros locations (part of historical McNeil and still same
products)
smaller staff in Skillman 3-4
offsite title would have main WWRIM ERS category and subcategory
boxes wouldn't mix different record types
Michelle's group - RIM ops has signoff on how boxes are described
no knowledge of loss of data
all retention schedules are kept historically - ask Rosina
David Allen - QA who signs off on SOPs
(Don Hicks before that)
Hernando - records for Skillman
had to reconcile the two sides at merger
Debbie Staneruck - on Fort Washington side, retired, Rosina reported to

FOLLOW-UP 6/11/2018

all McNeil materials re: consent decree are being held
clean out days stopped around 2011, a year or two before being
removed from WWRIM

Consumer-Records-MichelleAnderson.txt

Michelle Anderson
Title: Sr Manager, RIM
Date: 4/24/2018

at company for 4 years

responsible for RIM operations for US markets
 consumer
 corporate
 pharma

gathered data from RIM-related repositories

indexing systems - ERMS
onsite records center
offsite storage

in 2014 - ERMS launched
first migration was from Versatile towards end of year
TRIM, GIFTS end of 2015 - beg of 2016
Neutrogena data has not migrated yet, but new data goes into ERMS

different instance of TRIM than MD&D

TRIM, GIFTS, Versatile decommissioned in 2016

now have integrated retention schedule mgt in ERMS
now have ability to managed electronic records
integrated scanning is launched but not really in use, people scan on their
 own and upload as PDF
can upload from thumb drive
10 - 15 formats supported by ERMS

ERMS by OpenText
TRIM is now HP
GIFTS is homegrown (Oracle)
Versatile - Zasio

in 2015, went to corporate ERS - Feb/March rolled out, compliance date of July

had to align records series titles to ERS functional categories

schedule "alignment" rather than direct adoption
also did reductions and harmonized terms between opcos

stopped doing cleanout days for a number of years

could get Legal's approval for ad hoc disposition

GSS was doc control for J&J Consumer, except McNeil
 migrated to TRU and TRU Vault
McNeil was EDM
 did not migrate to TRU

Iron Mountain CONNECT is used
 just box number and date
 everything else is in ERMS

info put into ERMS first, then pick up box label, and then update Iron Mountain
connect

Consumer-Records-MichelleAnderson.txt

only Iron Mountain disposition if legal gives special approval
doing proof of concept for disposition with some finance reports
everything is now connected between Legal Hold Manager and ERMS
departing employee - transfer of ownership
now becomes dept property rather than a specific individual
field in ERMS will still say who it came from, although could be submitter, not
author
CONSUMER SOP-017118 - all interactions with associates and records program,
including dept
with manager responsibility (user oriented)
last created SOP for consumer, pharma, corporate RIM TV-SOP-06290 (Tru Vault)
works across all regions and organizations in Cindy Aden's group
specs went to TRU
SOPs/WIs went to TRU Vault
Renay sent legal hold notices on Michelle's behalf
managed by legal, not discretionary
all records center work is DocuXcel, manage records center ops
based in Pennsylvania
sending to storage
owner fills out records transfer form
summary, detailed description
connected to retention schedule
directions and instructions that are part of transfer form
forms are then submitted and approved
talk to Rosina
nothing corrupt or missing
put in new processes for finding lost items and release of records custody
can get schedules at least back to 2009
had a web site showing both hold and releases, until legal hold mgr came out
during transition, if a release wasn't issued, may not have been active but didn't
wanted to issue "broad"-sounding release

UPDATE 6/11/2018
Consumer schedules brought into harmony with ERS in 2015
ERS has section on "batch records and cleaning records"
changed sample retention from "CY+9" to "PERM" in 2015
Consumer schedules are still "departmental," moving to "product" orientation

Consumer-Records-RenayLawson.txt

Name: T. Renay Lawson

Title: Lead, RIM Operations Consumer

Date: 4/24/2018

Renay reports to Michelle

Michelle reports to Cindy Aden in Raritan - pharma, consumer, corporate Records for
GLOBAL

Cindy reports to Pat Turchick, he reports to Marene Allison (CISO)

at consumer 9 years, 3 years at Ethicon prior, so started at JJCI at 2009

started with offsite storage accounts - trying to consolidate where things
were located

was Iron Mountain, but also Allstate

tried to move to Iron Mountain without huge impact on cost

was just McNeil in 2009

different parts of consumer were being combined

Skillman, Neutrogena, etc., each had separate records program

vital records was Renay's initial focus

access and "retrievability"

duplication

after a year, started with discovery, taking over from Terry Cooney (e.g., 2010)

for litigation, doesn't start with retention schedules

uses ERMS instead

list of search terms has expanded over the years

ERMS points both to Iron Mountain and onsite storage

historical records tracking

MOPS (Morris Plains) - GIFTS

JJC - TRIM

McNeil - Versatile - launched in 2009

Neutrogena - Excel

in 2014 all came together into ERMS

pointed to paper both onsite and at various facilities

Versatile had retention management and file/folder level

to file something offsite, an individual contacts central filing

individual fills out a form

instructions for how to fill out a form

records dept inspects form and records themselves and verifies

including date ranges

generally find that box contents are accurate

had to consolidate multiple accounts with offsite vendor

when lab notebooks are given out, they are assigned and issued, unique ID/name/dept,
etc. recorded

including mgr's name

can check out materials in ERMS

Consumer-Records-RenayLawson.txt

departing employees
cleanout days

have SOPs and Work Instructions at JJ Consumer
for everything
kept in TRU system (was recently migrated from other system, GSS)

when is stuff scanned into ERMS?
not a standard practice, but can receive electronic docs from individuals
and can scan some paper stuff, including lab notebooks

retention schedules in Versatile and
Cocoon is labeling system, not in ERMS

when ERS (enterprise retention schedule) came out from corporate
had to re-map all categories

departures - individual reviews records and disseminate
reviews and gives to manager or archives
standard for departing associates

have samples and rocks for talc - would have ERMS entry

EPL - a facility for keeping samples (check on VRI as well)
climate controlled
UPDATE 6/7/2018 - available on request, nothing relevant in facility

her litigation searches start with product, go to custodian or NCDS level
if an admin checked in, would not know person associated with it

ERMS hits result in a report generated, sent to atty
record name, record title, description

ERMS will report all boxes, even those dispositioned according to schedule
some boxes were retrieved by department (withdrawn permanently) and then its status
is changed in ERMS

if a partial contents of a box is missing, it's recorded with audit trail to ERMS

ERMS had capacity to do legal holds
taking info from Legal Hold Mgr and putting into ERMS

in older versatile system, had to set retention to "infinite"

no knowledge of any boxes destroyed contrary to lit hold

custodians received hold notices and act accordingly with respect to ERMS
no known accidental loss

third parties get instructions from records mgt to abide by records policies if
records is involved

no outside US locations for records storage for these products

Rosina Deveney (married name Sheerin), been here many years in records function
records mgr

prior to Legal Hold Mgr, JJCI kept list of holds
Renay would send holds and releases as directed by legal and upload to web site

Consumer-Records-RenayLawson.txt
had different distribution lists
store electronic materials in offsite storage as well
ERMS description would indicate
matter number for hold typically starts with year (at least for recent ones)

FOLLOW-UP on 6/7/2018
15 departmental records schedules (+3 retired)
14 shared services schedules

Consumer-Records-Rosina(Deveney)Bruno-Sheerin.txt

Name: Rosina (Deveney) Bruno-Sheerin
Title: RIM Manager
Date: 5/16/2018

Rosina - records manager - reports to Michelle Anderson
work on retention schedules and policies for US and Puerto Rico
compliance assessments
compliance analysis for new system

Rosina started in 1988 in mfg
Ft Washington bldg

1990 came to office side

at that time, RM program was small
had a few boxes
created retention schedule and aligned boxes

got more involved in records in '92-93

schedules based on McNeil Fort Washington depts

then moved to McNeil mfg locations

Debbie Stanwick, Michelle's predecessor
she pulled in Skillman location

McNeil was OTC products

had onsite fileroom in Ft Washington
mostly batch records and R&D for OTC

Skillman fileroom is only for active lab notebooks

she is only responsible for inactive materials
those to be kept for long term retention

active materials - each department's responsibility

each dept must follow retention stds, however

have records coordinator and signature of authority to assist each dept
WWRIM requires training
records coordinators do additional trainings
particularly on ERS - yearly updates
WWRIM is pushed out through Compliancewire and is mandatory
additional training is calendared but now mandatory

also includes legal hold awareness and understanding of the new
Legal Hold Mgr

what's different with Legal Hold now? formerly Rosina would send out
hold notices; now sent directly from Legal
records mgrs also get notifications
both Rosina and Renay would send notices at different times
cover page identified who to send to - dist lists
would work with legal if additional people needed inclusion
don't recall ever sending out a release
Rosina would also assist legal in collection
helped Renay with searches for talc collection, particularly with keywords
in ERMS

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Consumer-Records-Rosina(Deveney)Bruno-Sheerin

Consumer-Records-Rosina(Deveney)Bruno-Sheerin.txt

just US Consumer, not international
see WWRIM listing of international contacts

history--
had DOS system and then moved to Versatile, then migrated into ERMS
Skillman's TRIM system moved to ERMS
Morris Plains used home-made system called GIFTS
could search for in ERMS

at year end, would collect all materials for offsite storage
this would include materials on historic records program
when Skillman came in, would have been incorporate into McNeil's materials
labeled "Records mgt program" and stored offsite, would have to do ERMS search

can't say what Skillman actually saved before 2005

Hernando Arbelaez - her counterpart at Skillman
he was records mgr

prior to Skillman, Rosina would generate reports of materials subject to
destruction, would then send to businesses for tagging based on business or
litigation needs; after business signoffs, would review report based on
box number and other information, match what was in box, and send for disposition

in past Skillman had Iron Mountain did some indexing, but in 2006 Iron Mountain
only got box number

in 2006 tried to make records titles more uniform and standardize retention
periods
old corp program called GRRS (Global Records Retention Schedules)
was only a suggestion
R&D records were always kept long term - permanent or life of product + nn years
e.g., lab notebooks, trial master studies

years ago, had fire in two Iron Mountain facilities (disgruntled employee)
no specific knowledge of any relevant records lost
possibly 1997 - possibly recorded as memo

file shares - retention depends on department's own instructions

had eRooms, then migrated to SharePoint

some eRooms were migrated, others kept for Legal
who is eRoom contact?

have SOPs that went from GSS to TruVault
probably 20-25 including WI

some McNeil SOPs moving from EDM to TruVault

Consumer-Safety-NilayGami.txt

Name: Nilay Gami
Title: Global Case Mgt for J&J Consumer Inc.
Date: 6/4/2018

intake of AEs
reporting to business partners outside J&J for marketing, distrib
e.g., other pharma
aggregate reporting group
signal detection and surveillance
regulatory reporting

his responsibility is individual case safety reports and reporting
to regulatory authorities

SCEPTRE - individual case report

call center receives email, social media, phone call, etc.
flags as inquiry, complaint, A/E
then info flows downstream
may be flagged as A/E and complaint

IRT - intake receipt and triage system
feed from consumer call system

have an individual in IRT who does preliminary assessments

pushes downstream for review and submission

then goes in to SCEPTRE

LCRX system - sends individuals to regulatory authorities

SCEPTRE = global safety database, shared with Janssen

SCEPTRE - anytime new info comes info, a new version is created

"SMART" tool - used for signal detection
flags certain issues based on logic
has its own workflow
versions for both medicinal and nonmedicinal products

each product is ID'd with a certain name, "e.g." - "Shower to Shower"

std set of questions asked consumer on phone
e.g., medical history, symptoms, other drugs, action, usage history
flows in SCEPTRE, used to make assessments

if email or social media, ask to call in

patient info is captured but outbound reporting must respect
regulatory and privacy requirements

cosmetic or medical products reporting to FDA
at any time, baby powder or shower fell into one of these two categories

SCEPTRE is a validated system, full audit trails, no deletions

Remetrex Safety System (RSS) was the prior system
until last year

transition, not a full migration

Consumer-Safety-NilayGami.txt

for active cases, core information was transferred over
for inactive cases, "SMART" tool looks at both system

RSS has not been archived or decommissioned, still holding all data

Stan Hemsley - current employee might have pre-RSS knowledge
he performs medical review on A/Es

WHO drug dictionary - used in SCEPTRE to code drugs
MEDDRA dictionary - used to standardize A/E categories

WHO + MEDDRA = facilitates outside reporting

what is attached to a SCEPTRE record?
it is both received from call center and generated by the investigation

how to get talc aggregate info from SCEPTRE? put a search in with all products

a few SOPs = a couple that speak to overall process
main SOP: "Collection, assessment and reporting of A/Es"
also "SCEPTRE User Manual"

also have workflow for individuals to upload A/Es outside of call center

call center can assess but safety team will confirm call center's judgement

"business process clarification" - if something is classified as an A/E but is not
if not classified as AE but should have been, complaint folks can "push it" back to
SCEPTRE

no data loss or corruption

Consumer-Sourcing-DaneGilmore.txt

Name: Dane Gilmore
Title: Internal sourcing
Date: 5/17/2018

Singapore - lead chemical sourcing category for consumer for APAC

leading that category for 3-4 months
previous stints 3-5 years ago but not talc-specific

5 years J&J Singapore, 5 years in Australia

directed Pam to quality and compliance team

reached out to raw materials center for specs
forwarded to q and c team

raw materials owns the specs-based in India
some personnel in china

documents largely exist online

transition to new system - TRU

GSS was prior system - was migrated

new system has greater functionality

only PDF in old system, now can do searches

downloaded ZIP to Q&C team

suppliers must complete test results and complete on certificate of analysis

reside with quality team at receiving site

not part of TRU

talc comes from China and India

to be processed in Philippines and Thailand
these are receiving sites

may also process in China

Q&C team would have all the documentation

Nicholas Zhu is Q&C contact

no loss or corruption

***** Consumer-Sourcing-JannusLin.txt

Jannus Shih-Min Lin
Title: Associate Director, EMEA Chemical Strategic Sourcing (Switzerland)
Date: 5/14/2018

Ana Diaz was predecessor - left the company

Jannus is EMEA chemical source team
has a sourcing manager in charge of procurement

work with supply Quality Mgt - audit supply side to ensure quality stds are in place
RMC - raw materials center

Jannus is part of Consumer, as is RMC and SQM

can provide RMC and SQM names

Consumer-Sourcing-UdaySharan.txt

Name: Uday Sharan
Title: Senior Sourcing Manager
Date: 5/21/2018

11 1/2 years at J&J
procurement of chemicals for J&J India

talc for Europe mfg'd in J&J Thailand

mining is done from a state in India

put into chips and sent for polishing

Thailand has batch mfr'ing records

lot number of raw materials, packaging materials

std doc retention - 5 years? will confirm

will check if paper or electronic

certificate of analysis accompanies every shipment of raw materials

incoming testing of talc by J&J Thailand

test results along with certificate of analysis stored along with batch record

specification created by R&D - fine tuned by SMTG

every mfg site will have spec for incoming material

issued by R&D group

production will go through steps and prepare finished good

distribution and logistics team then takes over

no accidental destruction

Consumer-SupplyChain-EmilyChu.txt

Name: Emily Chu
Title: VP of Consumer Supply Chain IT
Date: 5/22/2018

since Oct 2015
formerly Joe Gimpel for supply chain
and Tom Weck for quality
she does both

reports to Steve Wren

responsible for all IT activities supporting consumer supply chain and quality

supply chain - ERP systems (SAP), mfg execution systems (Werum)
5 regions - 6 instances of SAP (US and Canada each have their own)
2007 switched from homegrown DB/2 system in US
Canada's version of SAP went live last year, from older SAP version
always do data migration (perhaps with selective date ranges), also would archive
before decommissioning an old system if directed by legal
old days - did cold archive, would need to be restored
now - do warm archive with Informatica

ERP Europe - on both SAP, Movex, BPCS

quality - LIMS, Empower, doc control (e.g., TRU, also Cocoon for R&D)

Bernhard Brouwer - her counterpart in R&D

Empower is a global system - one instance
some sites use local lab systems
specific to chromatography

LIMS should be a global system as well but also has local uses
general purpose lab management system

follow up with Lorena re: where talc

what is being archived?

GSS
McNeil OTC's SAP for US

Arriba - accounts payable and POs - used by some regions, including US
global

also Trackwise, PQMS

not involved in call center

no loss of data that she is aware of

she can provide vendors for LIMS and Empower
and how used

Corporate-eDiscovery-MikeSeid.txt

Name: Mike Seid
Title: eDiscovery Manager
Date: 4/11/2018

Raritan

box.net and Office365 (OneDrive for Business, OneDrive)

Q4 2015
all J&J active users have moved over to Office365

some 240,000 inactive users
Sway, Yammer,
Word, Excel, Sharepoint

Azure -
network drive moving from L drive to OneDrive

still have eVault, frozen unless active user, in which case data went back to them
either as document or email folder - owners Wes Fine and Ann Marie

Enterprise agreement with Microsoft
personal usage of cloud storage is not sanctioned and disabled
Kevin McCaffery enforces security on these

individuals had to request BOX and supervisor had to approve
no longer give out
BOX deployed end of 2014
Adam Sladowsky supports
Steve Kelly was SME

retention - all data is retained
departing users have account disabled but
data remains

drivers for Box, now moot
1. allows field reps to sync across devices without being on J&J VPN
2. collaboration

OWA is supported by special request

specially configured BOX environment re: security
scans what services a user is using through corp firewall
only allows BOX, Office 365

tape backup has been removed for many file servers and email
some file servers are still non-GFS and use tape

until 0365 went live for everyone
30 day retention for email
31st day each backup is removed and overwritten

file servers - went from 90 to 60 to 30 days
Liz Hernandez - is records mgr for ITS
now more business continuity than DR, as there is now worldwide replication

Frank Floyd is expert re: replication

Enterprise Vault - lit hold rolled out to all US 2007 or 2008
not for efficiency storage

Corporate-eDiscovery-MikeSeid.txt
EV mail in frozen - can restore emails but they will
stay in EV
EV files are still accessible
currently working to decommission
if they have a mailbox, mail content will be pushed back to mailbox
if no mailbox, content exported to PST and sent to legal

IMS - Microsoft Office Communicator, moving to Skype
not logged but; Wes Fine supports, available to everyone

Windows 7 was desktop standard, now moving to Windows 10

Corporate-ITS-AnnMarieKrok_LouChaney.txt

Name: Ann Marie Krok
Title: IT Manager

Name: Lou Chaney
Title: Technology Manager

Date: 4/23/2018

Global Messaging Ops

30 day standard Exchange rotation

Exchange 2003 2007-2013

before rollout of Exchange 2010

users were hosted in North America and Beerse data centers for EMEA
except ASPAC - Asia South Pacific has 5 hubs (then to 3)

now migrating to Exchange Online, Azure - last 20,000 users

formerly--mailboxes were deleted for former users after 45 days
now former users mailboxes are hidden and disabled; JEDS record turns to terminated
new approach put in place in mid 2013

in 0365, former users come OUT of cloud and go back to premises

pre-Exchange 2010:

mailbox had standard size limit of 80 MBs but many exceptions

Mailbox Manager

with Mailbox Manager, Inbox, Deleted, Sent items were moved to "Cleanup" folder
after 30 days

sits there for another 30 days for users to take care of, then 7 days in
dumpster

Mailbox Manager can have exceptions

7-14 days in deleted items

another 30 days in deleted-deleted (dumpster)

evault was used for lit folders only in North America

lit hold folder - archive runs 1x per week;

once it's archived or users click "store to vault",

it's archived and can't be removed; although new versions can be created

for legal hold, would have been collected prior to it being deleted - Wyatt

Brown's team would create PST

post-Exchange 2010:

user-deleted items stay for 90 days in deleted folder

another 30 days in recovery folder

also applies to RSS, junk, sync

otherwise everything stays forever in primary mailbox

after 1 year moves to secondary (archive) mailbox

same folder structure, cheaper/slower storage

PSTs are frozen

evault frozen - now gone

ingested back in 2010 by Karen Skellington's team

for legal hold, now "hold in place"

Exchange 2016 in Cloud (part of Office Professional Plus)

deleted items remain 90 days, then 30 days in dumpster

after 1 year moved to online archive

multi-factor authentication because in cloud now

a certain group of people work online only (27,000) contractors, etc.

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Corporate-ITS-AnnMarieKrok_LouChaney.txt
OneDrive then becomes default storage
Karen Skellington can provide additional detail regarding hold procedures

BACKUP:

they backup the entire Exchange database (not "brick-level")

as of Exchange 2010 (deployed in 2013)
in Raritan, may share an Exchange server with people from another operating company
some consolidations due to capacity and retirement
sales force all shares servers
servers are not virtualized

backups in Morris Plains globally - this is DR site, holds 3rd copy of Exchange
databases
each site has redundancy as well (1st and 2nd copies)

disk to disk backup - MS DPM, 30 day retention
(changed with Exchange 2010)

pre-Exchange 2010: RESTORING A DELETED EMPLOYEE (within 30 day window)
to find deleted employee, would find the tape and request from tape dept;
if older version of Exchange, would use OnTrack tool

for 2006-2007 time frame on (when using Exchange 2003), would use Exchange
Recovery Group services to restore directly to server

after request, would put info on a share
team in Raritan does tape pulls

PROCESS:

request goes from legal to records manager of operating company, then to
IT discovery in WW Info Security Group
Raritan hands back to requesting party
email is handled by offshore team after tape is mounted
1. for Exchange 5.5, use Raritan server with OnTrack and then migrate to PST
2. for Exchange 2003, happens at local operating company

after move to Exchange 2010 (in 2013):
"unlimited" mailbox size (really 50 GB)
backups only held for DR
deleted items has its own retention period
tapeless backup every 30 days

Peter Dietz can address existence of specific tapes

Blackberry:

for company-owned or user-owned BlackBerry devices
could send WIPE command remotely
now shut down - no BES

Apple:

manage iPhones and iPads remotely

Android:

none

have Exchange SOP

stored in EDMS document control system (was Orbit)

Webex integration, Office Communicator/Lync - now retired, Skype for Business

use Microsoft Office 365 Compliance Center
Seong Park - uses for collection

Corporate-ITS-AnnMarieKrok_LouChaney.txt

Yammer, Sway, Planner, part of collaboration tools - Wes Fine
no data loss or corruption

Corporate-ITS-FrankFloyd.txt

Name: Frank Floyd

Title: Senior Manager, Global Core Infrastructure Services, Backup and Recoverability

Date: 4/19/2018

Raritan

Frank owns backup and recovery globally for NetBackup
e.g., SAP, Oracle

will query CMDB to JTT-managed systems and ensure they have backups for them
create "nobackup" report on a daily basis

BUIT does its own backups

backs up on a server level
still do backups to tape for remote sites - most have the tape drive onsite
transitioning to data domains for them, however

90 day retention is longest retention period

fulls maintained for 90 days
incrementals for 30 days
SAPs maintained for 30 days - full nightly
Oracle / SQL maintained for 45 days
websites just backed up as a server

email managed by exchange team, transitioning to 0365
Ann Marie Krok

do Sharepoint backups
would need to ask Sharepoint team regarding retention for each

NAS/fileshares/home drives
transitioned from a physical file/print server backed up to tape
now virtual on a NAS filer
Bob McDonough

Phil Welsh for archiving program

tapes--
Roger Rehm is retired
transitioned to Luc Vanparijs

Peter Dietz does global tape mgt - movement of tapes
Frank does inventory management

legal hold - would set to "infinite" in NetBackup
legal and business would ascertain server name -
might look in CMDB

did name of a given system change in moving to data domain from tape?
they would have to check each time

replication:
Morris Plains has been shut down in June 2017
have co-locations from NTT in Ashburn VA

Frank's stuff is replicated to Sungard in Carlstadt NJ
now transitioning to Ashburn VA
anything that is SDDC (software defined data center)/virtualized

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Corporate-ITS-FrankFloyd.txt
as opposed to legacy systems
not practical to put this under legal hold -- cannot add more disk to device
some operating companies use virtual private cloud (Amazon, Azure)
self-service model for backup
SOP 5115 for overall backup
and various Work Instructions

Corporate-ITS-WesleyFine.txt

Name: Wesley Fine
Technology Manager, Sharepoint Services
Date: 4/20/2018

11 years at JnJ

managing social collaboration
0365, SharePoint, Yammer

support SharePoint 2007
moved to SharePoint Online (part of 0365) end of 2016
by end of Q1 2017, all SharePoint 2007 sites were read-only
Highpoint has now archived
app services could migrate teamsites on request
portals required special programming

users could have data in both

many eRooms were migrated to SharePoint

3 types of sites worldwide for J&J
-portal - communications (about 500)
-team site - collaborative (about 25,000)
-my sites (40-50,000)

security managed by Active Directory

not "storage of record"

can edit materials on a Sharepoint site

versioning can be turned on by site owner

can have a file exclusion list

120 MB was limit for a single file in 2007
online per file has grown to 10 GB

site limits--

recommended limit 100 GB for 2007, 25 terabytes now possible for online

backup was changed from 90 days to 30 days
data domain - tapeless backup
(retired everything but North America, now being retired too)

2 levels of recycle bins - user and admin
total of 90 days

Microsoft itself keeps 14 days of each site online

can make a site readonly to effectuate legal hold, don't use other tools
but now collect the site to preserve

retention is handled on a site-by-site basis

no automated disposition

no public facing internet sites driven by Sharepoint
some access by partners

a document could be created and live only in Sharepoint

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Corporate-ITS-WesleyFine.txt

no loss or corruption, except for minor loss in connection with migration to archive
accidental by IT

app services is performing a migration to Sharepoint online
using "MetaLogix"; some businesses use "ShareGate"

each site owner had to make a decision to migrate or decommission
archiving was performed in two phases
-set to read only status
-3rd party provider will host in readonly - HighPoint

if owner of a site is no longer an employee, will be automatically archived
unless someone else in the sector takes over

have a big SharePoint list and BUIT leads

2007--could subdivide by content
many team sites are sub-divided by company
"managed paths" with a Sharepoint site
cannot do in Online

Yammer went live in Jan 2017

unofficial pilot before that

can provide list of active Yammer users but not by opco

nothing is deleted from Yammer

TEAMS - Microsoft O365
collaboration workspace
released just last September
similar to Yammer, self-service, can create group
groups must fill out metadata and compliance info
Yammer for "crowdsourcing" info where you may not know everyone
TEAMS - defined team
have list of groups and owners
TEAMS include SharePoint, Office 365, and OneDrive for Business
e-discovery and retention apply same way

about 7000 active users from all opcos

some policies that relate to their usage

Corporate-Museum-MargaretGurowitz.txt

Name: Margaret Gurowitz
Title: J&J Chief Historian
Date: 6/4/2018

museum is physical building
with archives in back

may be other sites with historical info, but only one corporate museum

no other consumer-related historical archives

had some knowledge of former "Personal Products", may have historical facility
Milltown NJ

currently responsible for ingesting materials into the collection, but
most of existed prior

most things come to archive from public donations

both documents and physical objects

had museum since 1930s

had project a few years to create "modern" museum, so had cataloging system
since 2014

use 3rd party with cloud based museum system - TMS (the Museum System, Gallery
Systems)

artifacts mostly catalogued at individual level

paper catalogued by folder and category

provided advertising and marketing materials to be scanned

Chenault's nomenclature naming std (museum system), not J&J product categories

also keywords

not much date information for ingestion

metadata might have estimated date of objects, depending on circumstances

talc artifacts are packaging

some containers had product in it, some did not

over 100 containers - less than 10 of them were not product but "100 anniversary"
tins

no retention numbers - keep forever unless condition in very bad shape

location tracking in system

"catalogue number" - unique, first 4 numbers are year catalogued for products

catalogue number for paper relates to folder

historical archive in records retention policy at corporate level

don't get historical archival documents generally from subs

in 1970s, law dept ran museum and asked for packaging/labels of note
stopped in early 1980s; decided that operating units would not send
and be sent back to operating units

much of it was sent back; have transfer sheets

now only sent if Margaret requests and if it is part of an "enterprise story"

1986 book published "A Company that Cares", included Baby Powder

earliest package is from 1890s

current is 2000s

artifacts on display in museum display cases w/humidity and temp
archives are high density, acid free storage w/humidity and temp

Corporate-Museum-MargaretGurowitz.txt
prior to that, in unlabeled cardboard boxes
no correlation to older handwritten catalogue number
no data loss or corruption
access control to collection starting in 2006 when Margaret took over
transfer records are still available
Margaret occasionally receives hold notices but archive materials retained
indefinitely
have some old paper inventories - typewritten, perhaps to the 1950s
showing what was in showcases

Corporate-Records-CindyAden.txt

Name: Cindy Aden
Title: Director, RIM
Date: 5/8/2018

37 years at J&J
starting at MD sector in Ortho

records in pharma

then at end of 2014
risk assurance started reported to Pat Turchick, ISRM
and Marene Allison

in 2015
Deb Staneruck - hired Michelle Anderson
Deb has now retired but was head of records/consumer

2015
Deb wanted consumer under ISRM
headcount stayed with consumer NA, but Rosina, Renay, Michelle
also came under Cindy

corporate records came onboard as well
Edith Mendez, John Caruso (no longer with J&J)

Cindy - Director of RIM Operations

Karen Skellington and Cindy both report to Pat

Karen is focused on governance - owns WW RIM and ERS
17 stds and 1 policy
legal holds - training
now AUTOMATICALLY assigning training using Summit around the world

Cindy = services required to support the operating companies

for example, assigns records coordinators to act as liaison
training, archiving, physical records

clean-out days / clean-up days retired several years ago
not able to destroy records == legal hold mgr, holds, etc.
not able to execute defensible disposition

Renay's interaction works closely with the business
and the legal teams re: inactive records

GRRS - preceded global retention schedule - Karen Skellington
a document on WW RIM portal

talk to Rosina re: historical schedules
then....

talk to Edith Mendez re: corporate
takes charge of historical materials from OPCos

Iron Mountain -- assessed every 3-4 years
records dispersed through various IM locations

don't share with IM what's inside boxes
only share label information - offsite box number

quality organization may accompany them on assessments

Corporate-Records-CindyAden.txt

or provide requirements

vital records -- these are scanned if physical by Iron Mountain
and previous onsite vendor
so duplicate records + microfilm
images stored on J&J servers - OpenText
ask Rosina

vital records, at least for microfilm, started in 1980s
early 2000s started to scan

no loss of data for Consumer

quality org tends to have onsite filerooms
eventually it gets collate and sent to offsite storage
owned by business until moved offsite
would be covered by collection team

will send GRRS dates to Tom

RIM and legal have partnered on Stagegate Review Committee
RIM - Cindy
legal - Anthony
2-3 meetings per month
review apps slated for decommissioning

meeting with technical app owner and business owner
collect key pieces of info, where data used
what opcos
leverage CMDB, application ID, etc.
whether GXP, ServiceNow/Iris
consider ERS retention, legal hold
outcome email sent to bus and tech owners if archiving needed
must rely on tech preservation requirements
3 1/2 years ago, put Stagegate measure in - don't allow local
records mgrs to make those decisions with legal team
Application Services Factory - enterprise archiving solution
Informatica, Metalogics, etc. depending on structured/unstructured, etc.
or documented exception process
Stagegate Tracker - can get list for consumer

Corporate-Records-EdithMendez.txt

Name: Edith Mendez
Title: IT Lead - WWHQ, New Brunswick
Date: 5/14/2018

29 years at company, 2008 with records function

report to Michelle Anderson, who reports to Cindy Aden - everything reports to
Marene Allison (including Karen Skellington)

all follow WWRIM
corporate has adopted ERS - enterprise retention scheduled
other operating companies can use ERS or map their schedules to ERS

consumer mapped its schedules to ERS

she distributes hold notices to corporate - to group operating chairman

now legal holds are custodial

before Exterro--
there was a Web site that is maintained for distribution
called CEMS - corporate entity mgt system
updated by legal

legal dept could also release using same procedure
must be sent to same people as hold

about 5 years ago, must notify legal if other people should get notice rather than
just forwarding

WWRIM - worldwide standards
WW CRIM - consumer record
set of stds for consumer's use

Sally Kies - owner of new system

if company closes or divests, all records come to J&J corporate (if no sister
company available)

would search Iron Mountain for corporate records
IMConnect
previous records mgr was Anne Kotteras, was also using IMConnect before 2003

active materials kept in each user's own computer area
no Sharepoint or group share specific to function

can't recall processing any talc-specific hold notices for corporate but can check
Legal Hold Manager

general training to all employees on WWRIM
retention, legal hold
Maureen Markolina - administrator training
Karen Skellington oversees program itself

possibly talk to Frank even though he is in pharma

no corruption or loss except some Puerto Rico records - not consumer/talc

IM connect only stores box number - not other metadata
store that for Corporate and Pharma in GREATS (not consumer) - Frank Girello's
Page 1

area

Corporate-Records-EdithMendez.txt

Corporate-Records-KarenSkellington.txt

Name: Karen Skellington

Title: IT Director / WW Records & Information Management / eDiscovery

Date: 4/11/2018

Raritan

structured data archiving -

started around 2015 - CTO mandated enterprise archiving

project Beyond - "clearing floor space" in raised floor area

Stagegate Review - review each system before archiving/decommissioning

IT, legal, records, etc.

really got going in 2016

applied to any system where data needs to be retained

not custodial data

business owner and legal would decide if a completely new system was migrated to

HighPoint Systems or Solutions

providing service for enterprise archiving solution

SAP data, loose files - provides a way to take data offline or adhere to lit hold

Informatica for structured, MetaLogix for unstructured

RM assigned to every opco

18 standards put out in 2009

now 17

other guidelines existed pre 2009

Karen came in 2008 and worked to consolidate

Record mgr must communicate policy and perform random assessments
removed cleanup standard as of Dec 31, 2013

5.0 is current version - effective April 2017

evolved to make more "requirements" and specific

now refers to enterprise archive solution

2015 - went to enterprise retention schedule

all opcos must follow

"big bucket" approach not based on dept, now based on topic

43 categories now

longest retention for each picked

coordinators are "feet on the ground"

associate will be responsible

no more cleanup events, suspended several years ago

backup tapes and tapeless backups are both viewed as DR

person under hold - this concept is evolving and will
become effectuated by the new legal hold program

Enterprise Archiving for SAP and non-SAP - live 7 months ago

encouraging companies to use

regardless of whether data is "live" or in the approved archive, considered source
of truth

WWRIM/ERS has always been in IT/Risk Mgt

had global retention schedule for last 5 years

mandated as 2016

Corporate-Records-KarenSkellington.txt
to facilitate archiving, disposition, standardization across multiple countries
4.0 is current retention schedule version

retention is global but accommodates privacy regulations or local laws
might look at lowest common retentions across 60 countries and make exceptions as
needed
country's own requirements overrule ERS

UPDATE 6/7/2018

2010 GRRS
all WWRIM materials stored and published in SharePoint

ITS records -
now using GREATS, was IMConnect for Iron Mountain offsite storage

Vendor-Triality-PamDowns.txt

Name: Pam Downs
Title: Principal, Triality
Date: 4/17/2018

collection back to 60s and earlier

Leavitt case - Baby Powder '65 to present
Hayes case - Shower to Shower '75 to 2001

ERMS - electronic records mgt system
houses index of fileroom contents
may house some electronic documents

index sometimes goes to folder level

stored in Iron Mountain facilities and some local filerooms

imaging project to do older specifications

Skillman - where "baby" line employees reside
corporate office, not mfg

HQ - Fort Washington, PA

there is a history document

Shook Hardy had handled one-off talc cases

Pam got involved in Aug 2017

started by talking to Renay Lawson - Fort Washington
she is in records office, supports consumer litigation

Jack Coletta introduced Pam to her

boxes and files labelled
lab notebooks well documented, may have initials on each page

doc types included:
raw materials specs
mfg/processing specs
formulas
labels
contracts with external mfrs
lab notebooks
testing materials
mining info

NOT batch records

both own mine and third party supplier
specs to 3rd party and did testing of talc

Global Specification System - GSS

mfr'd until 2005, then third party in 2006

Lorena Telofski - at company 30 years, served as historian
Skillman

talc is mixed with fragrance since 1800s

Page 1

Vendor-Triality-PamDowns.txt

R&D responsible for finding supply of talc
they would go out and test mines (e.g., Vermont, Italy, China)
pictures and slides

Quality Assurance

some testing records maintained by third parties

evaluate testing qtrly

retention of testing docs was generally shelf life of product + 1 year

from Windsor VT, rail transit

from China, comes in ship hold to Houston (Imerys, 3rd party) and then in railcar
then milled/ground to a powder in Houston

fragrance added in Georgia - processing

was Vermont with milling too, then to Georgia for processing
now China - Houston - Georgia

shower to shower was divested in 2012, sold to Valiant

travels to Georgia in railcar

formula = milled talc + fragrance

fragrance is outsourced

Royston, Georgia - J&J through 2005, PTI (Pharma Tech Industries)
bought the existing processing facility

Chicapee, Georgia - former J&J facility

invoices from PTI don't break out specific product lines

use third party for yearly and quarterly audits (GMP)

PTI bottles, comes back from J&J for distribution to various warehouses

*** back to 1998, have collected where every shipment has gone through SAP and prior
system, e.g., to Walmart, but not a particular Walmart

UPCs by brand, number of ounces

possible clinical trials in 1970s

brand team - baby brand, not specific to baby power

separate team for shower to shower (part of cosmetics brand)

marketing plans and marketing strategies - made for entire "baby" brand

some adult marketing campaigns for baby powder
stayed under the baby program

Cocoon- copy approval system for later years

Vendor-Triality-PamDowns.txt
although materials created outside of it, in paper or shared drives
went to museum in New Brunswick for older ads
websites are being preserved - brand team designs along with print, radio, etc.
use outside agency for baby brand and Shower to Shower
P&L at baby brand or cosmetic level, not at the product level
P&L for distribution - baby brands would be an allocation of a percentage in each
facility
no budgets at product level
to identify gross sales, Consumer's finance dept pulled distribution and calculated
based on wholesale price
no sales force for baby - just sales brokers for JJCP
act like account reps - e.g., Walmart or Amazon
team for Google ad-words, etc. at Consumer Products level

complaints/questions

Consumer Response Team and Consumer Response System - homegrown
Jan 2010, archive of prior system - no migration
call center - CRS logs call
emails
correspondence
not collected because ETQ and SCEPTRE collected with same information
Acclaro - document repository for consumer response team with scripts
collected talc scripts from Acclaro
Remetrix used for actual complaints - Feb 2010, paper prior

systems discussed: SAP, Cocoon, Consumer Response, Acclaro, ERMS
Global Specification System (GSS), International Contracts Database (ICD, J&J
global)
Remetrix
SharePoints - maintained by Quality re: mine health checks and audits
Trackwise keeps external mfg audits
SharePoints for baby and cosmetics
consumer safety mgt team - Sharepoint (analyzed complaints) (at consumer level)
safety surveillance and risk - Sharepoint (at consumer level)
ingredient topic Sharepoint
Project Volt SharePoint - divestiture of Shower to Shower

board documents collected in hard copy

ICD - 1990

Office 2010 to 0365 in progress
SharePoint 7 to Online in progress

share drive for baby marketing
share drive RoyData

Vendor-Triality-PamDowns.txt

other collections

- corporate contribution database
- FEC = federal election cmte
- lobbying reports from group share
- WERC = safety datasheets re: raw materials

some custodians have BOX accounts

uLex has source questions for custodians

less than 100 custodians ID'd so far

searched corporate records mgt system - worked with Edith Mendez
collected trademark info from corporate group share
collected patent info from patent Sharepoint

ask Michelle Anderson at Consumer (Renay's boss)

FOREIGN COLLECTION FOLLOWUP
5/4/2018

Canada baby powder - same raw materials as US
Canadian records found in US
same SAP system for distribution

UK paper - specs, processing, and testing search
date range of exposure 1969-2000
answered interrogs
no docs collected

Philippines paper - specs, processing, and testing search
date range 1970-2002
committee of mgr or higher level, included:
legal director, records, quality, supply chain, marketing
talc not mined there, but was manufactured there for a while
reviewed all offsite storage indexes
sent Skadden associate to open 100 boxes to sample based on keywords
found NOTHING in date range
get retention schedule from Pam pre: 2015 WWRIM ERS
also found advertising records in both paper and electronic (e.g., TV commercials)
Crown indexes were searched

Hong Kong
exposure range 1971 - 1983
put together committee as per above
found none - in box site index
no mine or manufacturing in Hong Kong
no boxes needed to be opened
J&J indexes-Excel

for all of above, collecting gross sales in e-form as far back as available

Peru
exposure 1960 - 1992
actions ongoing
actively working with same committee
haven't found anything - still looking at offsite storage indexes
also looking at boxes in Columbia, because some boxes were mfr'd and
shipped to Peru
ongoing
no mining in Peru

Vendor-Triality-PamDowns.txt

did not own mine
J&J index-Excel

will eventually collect gross sales in e-form

Turkey
exposure 1977-2012
have found paper documents and are collecting
have not found electronic documents
specs, possibly testing
collection is ongoing
did not mine or manufacture
J&J index - Excel

Poland
exposure dates 1963-1989
questioned employees in US and EMEA
never sold J&J baby powder in Poland
EMEA is pulling together regulatory records for other brands sold
no Poland committee

Austria
exposure dates 1989 - 1993
same exercise as in Poland
employees don't believe was ever distributed
pulling together regulatory records

always went to offsite storage and reviewed indexes
sent people in-country as needed

only productions done to date are Philippines
(Canada is US)
nothing to produce in Hong Kong
only special OUS production matter is the Delacruz matter/Philippines

8 countries relate to 6 separate matters

UK, Canada - Chapman matter in NJ (only answered interrogs)
Peru - Rinondi matter in NJ
Poland, Austria - Ruman matter in NJ
Turkey - Doganalp matter in NJ
Philippines - Delacruz in CA
Hong Kong - Fong matter

no destruction records found

Hong Kong - only found shipping records after date range
worked with Mark Zappa to confirm how to search the shipping records
along with supply chain - regional people
Pam has their names

records reporting
EMEA reports to Gerta
no specific name in APAC

FOLLOWUP
5/17/2018

Pam - more collection info

Vicky Barkis - ETQ collection
quality, external mfg

Vendor-Triality-PamDowns.txt
Chad Struthers - quality, external, mfg
collected audits from Trackwise (originally stored in ETQ)

group ran reports for PTI only and put on share drive
Pam then documents with the group

for complaints - Nicki Nanney, Andre Mann (regional medical safety officer)
Andre did signoffs

migrated from Remetrix to SCEPTRE for complaints/adverse events in Nov 3, 2017

3 collection passes from Remetrix
MEDRA code
mesothelioma
any cancer

FOLLOWUP 6/4/2018

International Contract System

stores all contracts back to 1990
including domestic

safety data safety (MSDS), copy review,

WERCS = safety data sheets

Cocoon = copy review

FOLLOWUP 6/7/2018

APR is a system for drafts, final ones put into CONNECT (those final ones were collected)

Places searched for samples:
Toxicology
Regulatory
R&D
Quality
Labeling and Packaging
Customer Development
Records Management
Marketing
External Manufacturing
Medical Safety
Clinical
Museum

Vendor-UnitedLex-AndyReynolds.txt

Name: Andy Reynolds

Title: United Lex case manager

Date: 6/7/2018

in Virginia

about 400,000 documents

293,000 documents products at least once

production included testing reports, ads, custodial records
formula information, testing of raw materials and finished product
studies - clinical, preclinical, toxicology, adverse events
govt agency communications - FDA, OSHA, IARC
trade association information (CFTA)
quality and specs from milling and mining
compliance and safety audits
medical literature
marketing and promotion information - marketing plans, communications with
marketing firms
J&J communications re: Baby Powder and Shower to Shower
communications with health professionals and thought leaders
documents re: talc sourcing

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